



**SIR ANDREW HAY OF RANNES**

A  
JACOBITE  
EXILE

By  
ALISTAIR and HENRIETTA TAYLER

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# A JACOBITE EXILE

## ERRATUM

On jacket and frontispiece, for  
“Sir Andrew Hay”, *read* “Andrew Hay”

## FOREWORD

THE material from which the following story is drawn consists principally of the correspondence of Andrew Hay of Rannes down to the year 1763. This is the property of Charles Leith-Hay of Leith Hall, Aberdeenshire, who kindly gave permission for its publication.

His Majesty has also graciously allowed certain extracts from the Stuart papers at Windsor to be included.

All letters subsequent to 1763, with the exception of one (on page 204) from the Duff House papers, are in the possession of the Editors.

They have to thank the Publisher (Heinemann & Co.) for allowing them to reprint passages from their book *Lord Fife and his Factor*.

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## PART I

1713-1752

MANY volumes of correspondence on love, scandals and politics have been published but it is believed that the letters on which the following story is based are unique. They are those of a political exile to the Mother he adored, written (during a period of nearly eleven years) from France and the Low Countries, where he was compelled to drag out his existence owing to his adherence to the lost cause of the Stuarts.

Andrew Hay of Rannes (two syllables) in the parish of Rathven, Banffshire, lived and died a bachelor. There is no record of his ever having been interested in any woman save his Mother, while the circumstances of his hunted life would have interfered with any projects he might have considered regarding matrimony.

He was thirty-two years old when the Rising in favour of Prince Charles Edward broke out, and fifty when he ultimately returned to his native land, a man broken in health and prematurely aged through much suffering. Three things he loved dearly, the Stuart cause, Scotland and his Mother; on the failure of the Jacobite Rising, he had to retire to the Continent, but was able, later in life, to return to Banffshire and died

there twenty-six years later, honoured and respected by all.

The Hays of Rannes had been for long in possession of that estate and in *Collections on the Shires of Aberdeen and Banff* there is the following curious entry: "Ranis, the seat of Hay of Ranis, the first of which family was descended of the Lord Yester; and, after having been a Roman Catholick priest, becoming a Protestant minister at the reformation, was made parson of Rathven." The Hays of Rannes claimed descent from the Tweeddale family as will be shown later when Andrew's Mother begged for the support of the Marquis of Tweeddale on behalf of her unfortunate son.

Andrew Hay was one of the most picturesque figures in the Rising of 1745, and physically one of the most remarkable men of his generation in his native county of Banff.

He was born in 1713, being the eldest son of Charles Hay of Rannes and his wife, Helen, only daughter of Doctor Andrew Fraser of Inverness, whose wife was Mary, third daughter of Alexander Duff of Keithmore, progenitor of the Earls of Fife.

Charles Hay was a Jacobite of 1715 but not one of those attainted. He was born in 1688 and at the age of fourteen entered Marischal College, Aberdeen. In 1710 he married Helen Fraser, by whom he had

(besides Andrew) one son and six daughters.

*Mary*, married (1) John Leith of Leith Hall (died 1736); (2) James Gordon of Glastirem. She had two children by John Leith—Janet, married James Gordon of Ardmeallie and John of Leith Hall, who in 1763 was killed in a duel in the streets of Aberdeen by James Abernethy of Mayen. John Leith's son, Alexander, became heir to his great-uncle, Andrew Hay, assumed the name of Leith-Hay and later he was a General.

*Katherine*, married William Gordon of Shellagreen by whom she had three children.

*Clementina*, married Patrick Duff of Whitehill and had sixteen children.

*Margaret*, married Alexander Russell of Moncoffer by whom she had six children.

*Elizabeth*, died unmarried.

*Jean*, who lived at Rannes with Andrew after his return from abroad. She outlived him and died unmarried.

*Alexander*, died unmarried in 1771.

Upon the collapse of the Rising of 1715 Charles Hay surrendered himself at Banff, and after being imprisoned for a short time, was allowed to go home peacefully to his wife and children. Alexander, 2nd Duke of Gordon, then Lord Huntly, also took part in the Rising and that Charles Hay owed the Duke



“personall and bodyly service” is shown by the following letter dated from the Canongate, 8th June 1726. “Ranas, I desire you may be at my Mother’s house on Wednesday next being the 14th curt, at six of ye clock in the morning to accompany me from hence to Gordon Castle in the terms of the obligation in your Charter. Gordon.” It appears curious that a man living in Banffshire should have to make the long journey to Edinburgh at only six days’ notice from the date of the letter—and to be there at 6 a.m.—in order to accompany his superior *back* to Banffshire and to a spot within a few miles from where he set out!

Charles Hay died in London in 1751. There is no record of where Andrew then was—certainly somewhere in hiding. Of the latter’s education nothing is known. As his father was at Marischal College, Aberdeen, one would have surmised that Andrew also might have been educated there but in the published list of pupils his name does not appear. He was probably taught at home, either by the local dominie or the minister, from whom he perhaps learnt that passionate devotion to the Jacobite cause in which he was prepared to lose his all.

After the Rising of 1715-1716 Scotland remained quiet under Hanoverian rule for nearly thirty years, the abortive attempt at Glenshiel in, 1719 having

almost no effect on the rest of the country. In 1738 the famous John Gordon of Glenbucket, Aberdeenshire, went from the north-east corner of Scotland to Rome, to confer with James Stuart as to the possibilities of another Rising; but among the signatories to the letters sent to Cardinal Fleury in 1741 intimating the desire of the Highlanders to rise (of whom were Lovat, Perth, Lochiel, etc.) there are no Aberdeenshire or Banffshire names.

In 1733, when twenty years old, Andrew, as eldest son, took sasine on the Estate of Rannes on a Crown Charter, which made him the virtual owner of the estate, while reserving the life rents of his Father and Mother. This was the usual procedure in Scotland before the law of Entail came into operation.

One of the most notable things about Andrew was his great—even excessive—height, which, according to a paper still preserved at Leith Hall, was 7 feet 2 inches in his stockings! A pair of these gigantic stockings, to be worn with knee breeches, is still to be found in the Museum at Banff; they measure 39 inches long in the leg and 13½ inches in the foot. They are of light coloured silk, knit in ribbed fashion, and although about 200 years old are in fine preservation. The beautiful weave is remarkable, for although hand-knitted, the texture and finish are not greatly different from the machine-made silk hose of

today. Andrew was obviously very fastidious about his stockings as there are several requests, in his letters from abroad to his Mother, to send him some more as he is unable to obtain on the Continent the special kind which he desires.

His unusual stature was to himself a positive affliction and in after-life—especially when he was a hunted fugitive—he often wished that his “size had been more moderate”.

Andrew Hay attended a county meeting in Banff on the 1st June 1742 and the minutes record that, in spite of the family feeling for the Stuart cause, he then took the oath of allegiance to King George II; at that period there was no question, at least in the north-east of Scotland, of any Jacobite activity. When, however, Prince Charles Edward actually landed and had raised his standard at Glenfinnan, 19th August 1745, Glenbucket and many other men from the district—both high and low—went at once to support him, and Andrew, full of zeal, joined the Prince at Holyrood in October, taking with him several servants, who, like himself, were on horseback. The names of two of these are known, *viz.* James Guthrie and James Donaldson; the latter, subsequent to Culloden, was made prisoner at Inverness and ultimately transported. Andrew, though called “Hay, younger of Rannes,” as his father

was still alive, was looked on as a man of means and a promising recruit for the cause, and on his arrival in Edinburgh was heartily welcomed; he and his friends being mounted, were quickly incorporated into Pitsligo's Horse. A letter, now among the Cumberland papers at Windsor,<sup>1</sup> written from Edinburgh on 20th October 1745 to Lord Lewis Gordon, is endorsed by the latter—well-known through the poem “Oh, send Lewie Gordon hame”—as, “I received this Nov. 24th at Fyvie.”

“MY LORD,

It gave me a great deal of pain to be out of Town when your Lop. sett out for the north, the more so that if I could have been of the smallest service to your Lordship by going along, I should have thought it my honour to have attended on you and would have been proud to have been one of your volunteers. I once intended to have sett out after yr Lordship. But finding that I could not gett up with you before your Lop. crossed the Forth, was afraid to venture alone by Stirling, as I was informed there was some danger in passing by it. I've presumed to give your Lop. this trouble to wish you all manner of success in raising your men and at the same time to acquaint you that when I left

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<sup>1</sup> Never before printed. Here reproduced by kind permission of His Majesty.

the north I left at Rannes ten new musketts (w<sup>ch</sup>. I bought for this cause), as I had no use for them myself. If your Lop. wants them, there is nothing requisite but to send to my Mother, who will deliver them with any other arms than those, on the first advice from yr. Lop. And I make no doubt but if there's strict enquiry made there will be a great number of Broad swords found thorrow the Country. Even the Blades tho' without Hilts would be of great use. If your Lop. will take the trouble to cause enquire att Wardhouse in the Garrioch, I'm perswaded he'll give you information of severall Broad swords and Guns. I beg pardon for this trouble but hopes your Lop. will forgive me as it proceeds from a desire of doing what service I can in the Common Cause. There's nothing new since your Lop. left this, if anything of consequence happens I shall presume to acquaint your Lop.

I beg yr Lop. will do me the honour to offer my Compts. to his Grace the Duke of Gordon and to my Lady Dutchess, and wishing all prosperity and success to you in every undertaking, I am with the Greatest regaird and esteem. My Lord

Your Lop's most obedient and most Humble ser.

ANDREW HAY.

I forgot to acquaint your Lop. that since you left

Edinburgh the Prince has been joined by the Earls of Kilmarnock and Nithsdale, and the Viscount of Kenmure. If your Lop. will honour me with a few lines direct me to the care of Mr. James Hay W.S. who will take care of it.”

The above letter proves that Andrew was both keen and sincere in taking up arms on behalf of his Prince, that his embarking on such a hazardous enterprise was no mere temporary whim nor did it arise from any pique or discontent, but that he was genuinely enthusiastic in what he called “the Common Cause” and was prepared to give it the utmost support in his power. No doubt his devoted Mother eagerly handed over the muskets mentioned to Lord Lewis Gordon, who as a neighbour was well-known to her. James Hay, W.S., was a cousin who managed the affairs of the family and later gave much friendly, if somewhat contradictory, advice to Andrew regarding his return from exile.

There is practically no record of Andrew’s activities during the campaign, but he took part in the spectacular victory of Prestonpans. Upon the arrival of the Highland host at Manchester and the triumphant entry into that city, Samuel Maddocks, one of the Government informers, giving evidence against Andrew at his trial (which, luckily, took place

in his absence) said that *the first man to enter the town* was “Hay of Rannes, who was very remarkable, being 7 foot high.”<sup>1</sup> His appearance greatly impressed the English and gave the inhabitants of Manchester a wholesome dread of the Highlanders.

Andrew was with the Highland army at Derby, which was reached on 4th December 1745. Two days were spent in that town during which the momentous decision to retire was taken and on 6th December—”Black Friday”—the retreat was begun, all concerned having heavy hearts. It must here be recorded that James Moir of Stoneywood, an Aberdeenshire laird mentioned later, was one of the few followers who supported Prince Charles in his ardent desire to advance. But it was not to be and the more cautious advice of Lord George Murray and others prevailed. Lord Pitsligo’s Horse, with Andrew amongst the number, helped greatly to protect the rear of the dispirited Highland army during that fatal retreat. By 20th December the Jacobite forces were once more back in Scotland. In January 1746 the Prince and his army halted at Glasgow and continuing the retirement north, the battle of Falkirk was won on 17th January—a temporary flicker of hope and success; but by the end of this month a further

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<sup>1</sup>This statement appears in the *Trials of the Rebels*, Add. MSS., British Museum, 35,886, f. 100.

general retreat was ordered owing to the fact that through sickness and desertion the Highland army was not fit to meet the Duke of Cumberland, then in hot pursuit. At this juncture Andrew Hay was sent north in order to raise more men, the evidence being a letter from Sir Alexander Macdonald to Clanranald, his cousin, dated 25th January 1746, in which he says: "Hay of Rannes, James Gordon of Glashterim and some other gentlemen have gone to their homes from the Prince, but wither to Reclaim the men of the Duke of Gordon's country who have deserted, I can't tell." It may therefore be assumed that, in the intervals of recruiting and endeavouring to persuade the disheartened Jacobites to return to their duty, Andrew enjoyed the company of his Father, Mother, brother and sisters and the last quiet time he was to have at home for many years. Did they then realise the great calamity that was soon to overwhelm Scotland? The wail of the pipes was no more to be heard in the land, but the wail of the widows and children cried aloud to high Heaven for mere justice and protection.

As is well-known, the Jacobite army divided at Crieff on 2nd February into two portions, the Prince with the Clans going by the Highland road towards Inverness, while Lord George Murray and Lord John Drummond with the Lowland



regiments and the Horse took the coast road by Montrose, Aberdeen, Elgin and Nairn. It is not certain where or when Andrew Hay rejoined the Jacobite army but most likely about 20th March, when there was a skirmish led by John Roy Stuart at Keith, only a few miles from Rannes. With the army he then marched due west, crossing the Spey near Fochabers and thence continuing the route through Elgin, Alves, Forres, Auldearn and Nairn to Culloden moor. On 16th April there took place the disastrous battle of Culloden and the complete defeat of the Jacobites.

Andrew, who was present at the fight, succeeded in making his escape, possibly owing to his being well-mounted. Taking the route by the Nairn river and the Moy hills—rather than the more dangerous course of fleeing to Inverness, which proved so fatal to many of the poor Jacobites—he at last after many wanderings returned to his native country. There is a tradition that on approaching Rannes he was hotly pursued by some Dragoons and, making for the Burn of Buckie, then in flood, he put his horse at the stream which it jumped without difficulty. The pursuers approached the burn, but their horses jibbed and refused to take it, upon which Andrew politely raised his hat and “fairly rode away”. Even

on his legs he must have been more than a match for most men in speed.

A curious commentary on the above is that at a meeting of the Commissioners of Supply for the County, held at Banff on 29th September 1757, it was reported that the Cullen to Fochabers road had been made, as far as the Findlater property extended in the parish of Rathven. The meeting appointed "Gordon of Glasterim and Alexander Hay, son to Rannes" (Andrew's younger brother), "overseers to carry the same road on to the Burn of Buckie." This was the scene of the above exploit of Andrew, who probably laughed heartily over his previous memory of that stream, when he ultimately returned home.

Once back in Banffshire, a county he knew so well and loved so dearly, he, like many of his friends and neighbours, remained successfully concealed for several years guarded and *hidden* by his Mother and tenants. In the list of rebels published by Lord Rosebery he is described as "lurking," *i.e.* still in the country. The fact that Cumberland and his officers looked on Prince Charles' army as being mainly composed of Highlanders, led them to pursue their vindictive search for refugees more especially through Inverness-shire and Argyleshire, and the Jacobites of Aberdeenshire and Banffshire were for some time less harried. But it must not be supposed that these two

counties altogether escaped the attentions of the Hanoverian sleuth-hounds. Far from it, as many of the local Jacobites were to discover, being compelled to take to the hills, to the rocks, or to hiding in caves or amongst heather. Andrew was no exception, and, owing to his great size, it must have been extremely difficult to conceal him. On one occasion, it is said, he outwitted a party sent to search for him by going to bed in the “bothie” of a farm kitchen, but that he was obliged to use a second bed for the accommodation of his legs, and the farmer’s wife told the searchers that *both* her dairymaids were very ill and must not be disturbed!

One of the distinguishing features of the period subsequent to Culloden was the sympathy shown by so many people to the persecuted Jacobites. This is notably proved by the fact that no man could be found base enough to betray Prince Charles—even for a reward of £30,000—but there are many less-known instances of kindness and fidelity to those in trouble by men who might have benefited greatly had they chosen to act the part of betrayers. Little did the English Government understand the character of those with whom they had to deal, who could be led but could not be driven, and it was for want of such understanding that the restoration of peace in Scotland after the ‘45 was so long delayed.

Andrew “lurked” in the neighbourhood of Rannes, sometimes in farm houses, at other times in the surrounding woods and hills especially, it is said, on the Binn of Cullen, which commanded a good view of the adjacent country, as well as on the Hill of Maud. What his existence must have been like it is difficult to realise. Never to be sure of himself, never to trust any stranger whom he might meet, never to be certain of a good night’s rest without the fear that on waking he might be arrested, continually to have to move from place to place, to climb hills and watch from the heather the march of soldiers below searching for him—these were some of Andrew’s experiences. He was hunted from place to place, but, being popular and pitied, he had many good friends in the country. None the less there were exciting moments. It is known that he was once very nearly captured, for Lord Findlater, writing from Cullen on 4th November 1747—over a year and a half after the battle of Culloden—to the Lord Justice Clerk, says: “Young Rannes escaped very narrowly from one of the houses that were searched.” Andrew Fletcher, Lord Milton, nephew of the celebrated Andrew Fletcher of Salton, was the Lord Justice Clerk at this period. During the Rising he acted with so much discretion and humanity that even the

Jacobites appreciated his leniency. He disregarded much of the secret information sent to him and it is certainly greatly to his honour that after his death, in 1766, “many sealed letters containing denunciations of private people” were found unopened in his desk. (*Scottish Nation.*)

Andrew Hay’s name was in the list of those excepted from the Act of Indemnity of 1747. This made his position more precarious than ever, and in consequence, the search for him became keener. But it does not seem to have troubled him greatly, for towards the end of that year he was going about the country in rather a venturesome way—for a proscribed rebel. An anonymous correspondent<sup>1</sup> of General Bland writes: “In the county of Banff, in the village of Keith, the Informer was in a public house where Colonel Roy Steuart, an attented Rebell, and Hay of Rannes, another of the gang was, and Clune McPherson. All these appear publickly at mercats and everywhere and act as propriators of their estates and visite their neighbours openly and stir up the Humours of the people and keep them well in heart by telling them of descents and French invasions, and ye Civil Majestrates takes no notice of it. Most of these things the Informer had from the gentlemen

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<sup>1</sup> A letter in the Public Record Office.

and ministers living upon the place, and that all this was so notoriously known, a proof of it would be easie, and that the common discourse was that the Civil Majestrates did nothing and left all to the Military of purpose as they thought to throw ane odium upon the King and say we were under a Military Government, and that it discourages both the well-affected gentlemen and ministers when they saw the civell Government so remiss and attented Rebels walking about in Triumph." There were too many Informers at this date who were either anxious to save their own skins or wishful to pay off old scores.

The Colonel Roy Stuart alluded to was the well-known Jacobite, John Roy (Gaelic, *ruadh*=red), son of Donald Stuart and his second wife, Barbara Shaw. John Roy was born at Knock, Kincardine, Invernessshire, about the beginning of the 18th century when his Mother was reputed to be fifty-two years of age. He was originally a British Cavalry Officer, a Lieutenant and Quarter-Master in the Scots Greys, but being refused a commission in the Black Watch, he resigned. He then became a Jacobite agent and having been arrested and imprisoned in Inverness on a charge of treason, he broke gaol in 1736 by the help of Simon Fraser, Lord Lovat, and withdrew abroad. Joining the French army, he fought in its ranks at the

victory of Fontenoy, 30th April 1745, where Cumberland was on the defeated side. On the outbreak of the Rising of that year John Roy returned to Scotland and joined Prince Charles at Blair Atholl on 30th August, bringing with him letters from important people abroad which contained promises that were never fulfilled. During the whole period of the Rising he commanded the "Edinburgh Regiment" consisting of six companies. After Prestonpans he is said to have enlisted a great many of Cope's soldiers but they mostly deserted. His courage and devotion, his gift of song and the knowledge and culture he had acquired by service at home and in France, made him a great favourite with the Prince, who called him "the Body". He was always very cheerful and being a fearless fighter and a player on the bagpipes, besides being noted for his acts of kindness, was extremely popular with everybody. He wrote with equal facility both in English and Gaelic; some say that he also composed Latin verses. After Culloden he wandered about the Abernethy hills having many hairbreadth escapes, but was never captured. It was during this time that he composed several poems; perhaps the best was the Psalm in which he described his immunity from arrest. This shows his implicit trust in Divine help and the popularity of the Clan Campbell at that time,

*The Lord's my targe, I will be stout,  
 With dirk and trusty blade,  
 Though Campbells come in flocks about,  
 I will not be afraid.*

*The Lord's the same as heretofore,  
 He's always good to me;  
 Though redcoats come a thousand more,  
 Afraid I will not be.*

*Though they the woods do cut and burn,  
 And drain the waters dry;  
 Nay, though the rocks they overturn,  
 And change the course of Spey.  
 Though they mow down both corn and grass,  
 And seek me underground;  
 Though hundreds guard each road and pass,  
 John Roy will not be found.*

*The Lord is just, lo, here's a mark,  
 He's gracious and kind.  
 While they like fools grop'd in the dark,  
 As moles He struck them blind.  
 Though latelie straight, before their face,  
 They saw not where I stood;  
 The Lord's my shade and hiding place,  
 He's always to me good.  
 Let me proclaim; both far and near,  
 O'er all the earth and sea;  
 That all with admiration hear  
 How kind the Lord's to me.*



An interesting and hitherto unknown fact about John Roy Stuart is that he was *the only field officer* to point out the danger of a premature invasion of England until the whole of Scotland was in the Prince's hands. His own letter setting out his arguments is still extant, but unfortunately his words were unheeded.

After hiding for some weeks on Speyside he joined Prince Charles in Lochaber in September 1746 and later accompanied him to France. Little has hitherto been known about John Roy Stuart and some erroneous statements made, particularly in the *Dictionary of National Biography* where it is said that he died in 1752, and in the Marquis de Ruvigny's *Jacobite Peerage* where it is alleged that he married an Italian, was made a baronet by Prince Charles in 1784 and was still alive after the latter's death. From a close study of the Stuart Papers at Windsor it is now established that John Roy's wife was Sarah Hall, that they had one daughter who was sent to a convent in Paris, that John Roy himself died at Boulogne early in 1747 and that his widow continued to live on there for many years after his death and was granted a small pension from the French Government. This was paid somewhat irregularly, as is shown by the frequency of her piteous appeals. The John Stuart who married an Italian and was with Prince Charles until his death in

1788 was a different person, being a nephew of the poet. The creation of the latter as a baronet was the last act of this nature on the part of his “Majesty King Charles III.”

The other man named in the Informer’s report was Cluny Macpherson, who had concealed Prince Charles Edward in the Cage on Ben Alder, just previous to the latter’s return to France.

Perhaps in consequence of the informer’s communication the following petition was presented in the same year (1747): “To the King’s most excellent Majesty. The Humble petition of Andrew Hay, younger of Rannes. Sheweth, That your Petitioner being a young man<sup>1</sup> was unhappily induced, in the latter end of October 1745 to join in the late Rebellion and is informed that on this account he is excepted from your Majesties gracious Act of Indemnity. That your Petitioner begs leave with Great Humility to represent that he had not the least accession to any hardships done to any of your Majesties faithful Subjects, but on the contrary, used his Utmost Endeavours to prevent anything of that kind when it was in his power, as many of them can, and the

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<sup>1</sup> Andrew could hardly be truthfully described as a “young man” in 1745, as he was then thirty-two. The Petitioner seems to protest too much and shows some economy of facts.

Petitioner is persuaded will, testify when called upon. That your Petitioner has since the month of Aprile 1746 lived in such a manner as not to give the least offence, being determind to throw himself on your Majestie's Clemency, that as a young man he might be at liberty to follow his lawfull Business in his own Country, rather as recurr to and become dependent upon any Foreign Power. That your Petitioner does not presume to mention these Circumstances as an Aleviation of his guilt, but in order to move your Majestie's Compassion, and being most heartily sorry for his offence, he most humbly Submits himself to your Majestie's Royal Clemency, and imploring your Royal Mercy promises to live a grateful and Dutifull Subject—and your Petitioner shall always pray etc. Andrew Hay.”<sup>1</sup>

Some of the pleas scarcely agree with the informer's statements above quoted and lead one to conclude that the petition was drawn up by a clever local lawyer who did not consult Andrew as to details nor was he too particular as to accuracy.

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<sup>1</sup> No notice seems to have been taken of this petition, though it had the support, according to an existing letter, of two prominent Whigs—Andrew Mitchell of Thainston, M.P. for Aberdeen and future Envoy to the Court of Frederick the Great, and Sir Ludovic Grant of Grant.

No answer having been received, for five years more Andrew wandered about the north as a fugitive and occasionally as a hunted rebel. Sometimes he went away from Rannes for safety and at least once to Kininvie in Banffshire—a distance of some 15 miles—though this may seem small in view of the long journeys which Prince Charles and other Jacobites were compelled to make.

As his father (although an ardent Jacobite in the '15) had not gone “out” in the '45, no harm was done to the house or property of Rannes, but after Charles Hay's death in 1751 it seems to have been considered wiser for Andrew to retire to the Continent. So, in 1752 after collecting a few necessaries, saying farewell to his beloved Mother and family and taking leave of his old home, he set out on his foreign wanderings from which he was not to return for many years.

## PART II

1752-1763

### I THE EXILE IN HOLLAND AND FRANCE

How Andrew departed for the Continent is not known but it is presumed that he took shipping from the east coast of Scotland and landed in Holland in September 1752. For more than ten years, loving Mother and devoted son wrote to each other constantly and these letters give an insight into the worries and anxieties of his existence abroad. He lived for many years with other Jacobite exiles amongst whom were George Gordon of Hallhead, Arthur Gordon of Carnousie, George Hay of Mountblairy, James Gordon of Cobairdy, William Hamilton of Bangour, the poet, and Sir James and Lady Fanny Steuart of Goodtrees.

He moved about Western Europe, like so many other Scotsmen, in the course of his exile and visited the following places, Paris, Vernon, Moulin, Lille, Brussels, Sens<sup>1</sup>, Liège, Flushing, Rotterdam, Antwerp

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<sup>1</sup> *Extract—Sir William Hay to James Edgar.*

Sens, 14th Dec.

1752.

... John Hay came here from Paris about a month and tarried with us till 2 days agoe and returned

and Breda. Frequently he was homesick, often was he sad and depressed, but dared not return. During the whole of his absence his widowed Mother carried on the management of the estate on behalf of her son to whom she supplied funds both during his six years of “lurking” and for another eleven years after he went abroad. It is almost impossible to realise how much she denied herself in order to do this, but Helen Fraser besides being a devoted parent was also a woman of very strong character; she was ready to do anything for her son whom she consulted (by letter) on almost every imaginable topic and her reward was in the fact that she did maintain him adequately through his long weary years of exile.

Andrew’s letters to his Mother cover a period from October 1752 to January 1763 when he set foot in London, and it is much to Andrew’s credit that in spite of his frequent journeys, his ill-health and many other minor troubles, he carefully preserved, carried about with him and finally brought home most of the

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again with Andrew Hay of Rannis, who is lately come over, for he ran great risque of being apprehended two or three times. He’s the tallest man that ever I saw in any countrey, he’s exactly six foot 3 inches french, he’s a very honest sensible man and very Loyall and chearfull. He came up here to see Mr. Gordon and Lady, who were his Nighbours in the Countrey... Stuart MSS. at Windsor.

letters that were addressed to him. His Mother's anxiety on his behalf is only equalled by his concern for her welfare. The exchange of thought and feeling between these two was really beautiful. The first existing letter to Andrew from his Mother is addressed "Andrew Gordon, to the care of Messires John and Robert Haries, Mertts in Roterdam", in it she says, "If I doe not hear once in the Moneth from you and oftner if you can, I'll turn uneasie." It must be observed that the letter is addressed to "Andrew *Gordon*", and in replying to his Mother he continued to sign himself in this manner up to 1755 when he reverted to the use of his correct surname. The taking of other names was usual among the Jacobites on their first going abroad. A near neighbour of Andrew's in Banffshire, Sir William Gordon of Park, for some time called himself "Johnston". Andrew's Mother in answering him invariably employed her maiden name—"Helen Fraser"—which was also very much the habit in Scotland in the 18th century.

Andrew's earliest letter is written from Paris, to which place he had moved, on 29th October 1752, and is thus directed: "To Mrs. Hay of Rannes at Rannes, Banffshire, North Brittain. Per Londres and Edinburgh." It is interesting to note that he describes Scotland as North Britain, a point on which there is much acrimonious discussion even to this day. In that

letter he expresses the greatest anxiety about his Mother's health and hopes that it "is no worse than when I left you He also explains why he had departed from Holland—"the Expenses of living there was so great that I could not afford it"—but doubtless he wished also to try and get into touch with some of the other exiled Jacobites. He was still in Paris—a place of which his Mother did not approve—in November and, to reassure her, says that in spite of the expense there was a risk in remaining in Holland. "To be out of danger was the only thing that made me leave my Country and of consequence determined me to come to a Country where there was none," adding poignantly, "I now sleep without dread of being surprised, and I daresay you're easier, as you must be free from several inconvenient alarms you had on my account." He then enumerates the various Jacobites whom he met in Paris, amongst them George Hay of Mountblairy, Banffshire, who was taken prisoner before Culloden and conveyed to London, where he escaped from a Messenger's house. He married in 1753 Janet Duff, second daughter of Lord Braco and widow of Sir William Gordon of Park, and subsequently took her back to Banffshire. Andrew says that he saw Lady Gordon and her children, then living at Douai, on his way to Paris, that she found great difficulty in obtaining sufficient food for her



family. Her first husband, Sir William Gordon, was a noted Jacobite. Like Andrew, he had remained for some time concealed in his own country, but eventually got away to France where he obtained a commission in Lord Ogilvy's regiment. His wife managed to join him and they lived at Douai till his death in 1751, so Andrew did not meet him again. Lady Janet was very poor and letters from her are among the Duff House papers, in which she even begs for dried fish to be sent to her from Scotland.

Another Jacobite mentioned by Andrew was Arthur Gordon of Carnousie, who had been very active in the Rising and was made Colonel of Lord Pitsligo's Horse, in which regiment Andrew had served as a Major. Arthur Gordon escaped abroad and was living on a pension from the French Government. Andrew describes him as "one of the gayest men in Paris. He's so happy that neither his family nor other misfortunes makes long impression on his spirits." He must have been of an unusually buoyant and optimistic nature for he was, as regards his Scottish affairs, at that date a bankrupt. He died in 1753 and Andrew attended his funeral, with this comment: "Poor man he was destitute of every thing, money, credit etc."

Though not then in Paris, allusion must be made to Lord Pitsligo, so much respected for his

high character and personal piety. He had taken part in the Rising of 1715 and in that of 1745. At the latter date he was sixty-seven years old, yet he considered the matter from every point of view and then decided that it was his *duty* to support his Prince. What really troubled him was the fear of its being considered laughable that a man of his age should embark on such a hazardous enterprise. But having once made up his mind, he went straight ahead and his fine example brought "out" many lairds in Aberdeenshire and Banffshire who might otherwise have held back. On his arrival in Edinburgh in October 1745 with a band of cavalry about 150 strong, this devoted figure was greeted with enthusiasm. "It seemed", said Hamilton of Bangour, "as if Religion, Virtue and Justice were entering the camp under the appearance of this venerable old man." John Murray of Broughton describes Lord Pitsligo as "a little thin fair man, a great scholar and fond of study. Of the primitive Stamp and fitter to have been a martyr in the days of Nero than to live in the age of villany and corruption. He is the deservedly most popular man in the country, not loved but adored, the best father, the best friend and the best S-bj-t in Britain." Pitsligo took part in the whole campaign, and during the retreat from

Derby, Prince Charles (whom Pitsligo always alluded to as “the amiable young Stranger”) insisted on the old man using his own carriage in order to save him some of the discomforts of the march. He was present at Culloden and after that event began the series of wanderings and miraculous escapes which have made his name so famous. Dressed as a beggar he met with many adventures. He died 21st December 1762, aged eighty-four.

In the first letter, Andrew says that he is disappointed that the Peterhead waters have not benefited his sister Jean, of whom he was very fond. In the 18th century, Peterhead was well-known for the medicinal qualities of its springs and during July and August many Scottish people resorted there, amongst them being Jean Maxwell, the famous Duchess of Gordon. Few knowing the town today—dominated as it is by a harbour and a convict prison—and its chief industry being the export of herrings and of the red granite peculiar to its neighbourhood—could believe this possible. The company of water drinkers indulged in dancing, dicing, chess, card-playing, cock-fighting, golf and even cricket—a game which somehow or other has never attained the same popularity in the north that it has in England. Musical parties

took place at the house of the parish minister, who must have been an unusually broadminded man for those days. Even the great General James Wolfe visited Peterhead for three weeks in 1751 to try the waters, but it is recorded that, as in the case of Jean Hay, they were “without any good effect”.

In obedience to his Mother’s wishes Andrew left Paris in January 1753 (he also soothes her by saying that he “doesn’t drink”) and went to Vernon, in Normandy, where he lived *en pension* with his friend, George Hay, and found the people friendly. He tells his Mother that “I’m in hopes to attain speaking the French, which will be a satisfaction to me whatever my fate be”. The climate of Vernon struck him as chilly, “colder and more piercing than ever I felt in Scotland,” and he complains that the dearest thing there is “fire”. His Scottish sense of frugality is greatly shocked by the burning as fuel of oak trees, “which in our country would give a good deal of money.” He concludes by saying, “It’s a fine country France, but if I could with impunity live at home I’d much rather chose it.” Later he altered his opinion of both France and Frenchmen.

His visit to Vernon was of short duration for—in spite of his Mother’s objections—he is back in two months’ time in the French capital, where Helen

Fraser writes to him from Rannes, on 6th April, and the letter is directed to "Monsieur Andre Gordon, vis a vis le Chantier de Mercier, Fosse St. Victor a Paris". In this letter she says she is failing daily (though she lived for another sixteen years). She fears that, as her legs are swelling and frequently become numbed, she may soon lose the use of them altogether. Added to this she often has "a shortness of breath and several other ailments", all of which information must have been gall and wormwood to Andrew, who was not over-inclined to look on the bright side of things, especially where his Mother was concerned. He wrote to her later from Paris, "it gives me great pain to learn that you find ailments growing on you." Even at this early period of his exile he considered engaging the interest of anyone who could help and he was forever telling his Mother that she should apply to various persons of position on his behalf. On this occasion he suggests that application should be made to Colonel James Abercromby of Glassaugh, M.P. for Banffshire from 1734-54, when he resigned, and as General went to America. He was present at Ticonderoga in 1758 when, with a force of 9,000 Colonials and 6,000 Regulars, he was severely defeated by the French General Montcalm, who had only 4,000

men in all. Lord Chesterfield called him the “sedentary General” and the French leader still more cruelly nicknamed him “Mrs. Nebbycromby”. In *Old Quebec* by Parker and Bryan, he is described as “a vain and obtuse military martinet”. He seems to have been no more successful in the political world than he was on the field of battle, for he failed to effect anything on Andrew’s behalf, though to do him justice, the latter writes: “I have not the least doubt of the Collonell’s sincere intention, but can’t help suspecting his want of power; that he has not sufficient interest to procure what your friends require of him or he would have obtained it ere now.” (Andrew’s great object was to have his name removed from the list of persons excepted from the Act of Indemnity and for many years he was unsuccessfully pursuing this.) He continues rather gloomily, “if there’s no chance for success, I must remove and establish myself in some of the most agreeable and cheapest provinces, which is altogether necessary for one that has nothing to subsist him but what depends on the friendship of others.” He then refers to the death of the Master of Braco and thinks that will make a considerable difference in the politics of Banffshire, though why he should have imagined this, is a little difficult to

fathom as Lord Braco was a strong Whig and a firm supporter of the Hanoverian rule.

To reassure his Mother that he is not slipping into bad habits or extravagant company, Andrew informs her that: "To doe the French justice they're generally free of the beastly custome of drinking. The three moneths I was in the Country, tho' it was in the Carnival time, I declare upon honour I never saw a gentleman so much as warm with liquor," and six months later, still writing from Paris, he says: "There's no such thing as drinking to excess, it's shamefull to be seen drunk and it's a thing that seldom happens." He alludes to the expense of postage of a letter from Scotland and adds: "It's the money I ever paid with the greatest pleasure, therefor as oft as possible let me hear from you." He explains that he only pays from London to Paris, "about 7 or 8 pence English."

Andrew's next letter to his Mother is written from "Maulin" (Moulin), "the Capitall of Bouronois", on 17th July. In this he says that if he were quite sure he would not be permitted to return to Scotland, he would try to get into some foreign service, as that would both give him an occupation and some necessary money. It seems that he had not been well lately for he says that: "I was seased after coming here, with a severe feaver attended

with Raveings, Pourgings and Vomitings, which has weakened me considerably. I was blooded, Vomited and Physicked, which has been of use to me, tho' I still continue weak and my hand shakes so much that I wish you gett this read." The doctors told him that he was suffering from what he describes as "ane ill formed ague". He expresses his thanks to Mr. and Mrs. Hamilton who were most kind and attentive to him during his illness. They were William Hamilton of Bangour, the poet, and his second wife.<sup>1</sup> William was born in 1704, being the

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<sup>1</sup> *Extract letter—Sir William Hay to James Edgar.*

Sens. July 12th, 1753.

...Poor Will Hamilton, who is in a bade state of health, in his way to the Watters of Bourbon with his young Lady, came out of his way 8 posts on purpose to see me, and tarryed two days here. His wife is a relation of mine by my Mother. She's a pretty weall behaved Lady and not above 19 years of age. Poor Will is much decayed. He looks like a person of 70 years, but I hope he'll recover as their is some accounts from him very advantageous. While here we remembered all our frinds with you. He drinks no wine but pure Water.

*Extract Letters—John Edgar to James Edgar.*

...When I wrote Mr. Lumsden that Mr. Hamilton and his wife were again joined, I thought I had told him in a former letter that by Ld. Marishall's advice



second son of James Hamilton of Bangour, Linlithgowshire, and joined Prince Charles in 1745. After Prestonpans he wrote the Jacobite ode "Gladsmuir" which begins thus:

*As over Gladsmuir's bloodstained field  
Scotia, Imperial goddess flew,  
Her lifted spear and radiant shield  
Conspicuous blazing to the view,  
Her visage, lately clouded with despair,  
Now reassum'd its first majestic air.*

Burns, on being asked his opinion of the poem,

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they had seperated for two or three months and she boarded in a French house on purpose to learn the Language, as they propose to be some time abroad, and she has really improved surprisngly. I never knew two happier in one another. Poor Willy has been of late terribly tormented with rhumetism in the head but is now much better.

Lille. 20th July, 1753.

I had a letter from W. Hamilton about three weeks ago. He is taking the waters at Bourbon l'archambor (Arc en Barois), is considerably better, he told me he was to write Mr. Lumsden immediately. Mr. Hay of Ranas went with him. Mr. Hay cant safely return to Scotland, and can afford to travel. He told me he had a great inclination to see his Majesty. If he comes to Rome, I'm sure you'l have great pleasure in his Company, for he is a very worthy sensible man....

said, "I dinna like it ava, man. It's far ower sublime." After Culloden, William Hamilton lay concealed in the Highlands and at last escaped to France. Through the help of powerful friends at home he was pardoned and returned to Scotland. He succeeded to Bangour on the death of his elder brother, John, in 1750, but his health having been injured by his hardships in his wanderings, he returned to France, where he died of consumption at Lyons on 25th March 1754 and is said to have been buried in Holyrood. He married, first in 1743, Katherine, daughter of Sir James Hall, 2nd Baronet of Dunglass, and had one son, James. She died in October 1745. William Hamilton contributed to Allan Ramsay's *Tea-table Miscellany* between 1724 and 1727, and was the earliest translator of Homer into English blank verse. He also wrote the once-popular "Braes of Yarrow", which has been described as one of the finest ballads in the language. A verse from it is here given:

*Why runs thy stream, O Yarrow, Yarrow red?  
 Why on thy braes heard the voice of sorrow?  
 And why yon melancholeous weeds  
 Hung on the bonny birks of Yarrow?*

This affords some idea of what passed for good poetry in the mid 18th century in Scotland.

Somewhat better are the first four lines of his

adaptation of the 137th Psalm:

*On Gallia's shore we sat and wept  
When Scotland we thought on,  
Robbed of her bravest sons and all  
Her ancient spirit gone.*

That William Hamilton of Bangour had a pretty sense of humour is shown in a letter from Andrew Lumsden, a Jacobite and afterwards Secretary to the Old Chevalier, written from Rouen on 9th June 1748, to his sister, Isabella, wife of Robert Strange, the artist and engraver. It proves that Hamilton entertained no respect for George II. "As soon as Mr. Hamilton enjoys the least interval of health, he resumes his usual humour. The other day he amused us with his Litany, which begins with this sentence: 'I will arise and go unto George; and will say unto him, George! I have rebelled against thee, and am no more worthy to be called thy subject; make me as one of thy hired Englishmen!'"

Andrew Hay's Mother replies to his latest letter by showing her great concern for his health, but she firmly negatives the idea of his going into any foreign service. She also implores him not to think of coming home under present circumstances; "those misfortunate Attainted People that comes over, Ruins themselves and hurts others" and sagely concludes that Scottish interests are of little importance in

England. She says she is determined that he shall not want and that she will use every possible means to supply him with money.

Again Andrew had returned to Paris in company with William Hamilton and the two men shared a lodging, but Hamilton has now gone to Montpellier, having vainly tried to persuade Andrew to accompany him there. Andrew informs his Mother that another northern Jacobite—James Gordon of Cobairdy—had just come to Paris for his wife’s confinement. Gordon, like Andrew, was one of those specially excepted from the Act of Indemnity of 1747. He was half-brother to Sir William Gordon of Park. Born in 1723, he married Mary, daughter of James, 16th Lord Forbes, who was a Jacobite in 1715; she is described as “a very sweet tempered woman but not very handsome”. A curious position arose from this marriage, as the 16th Lord Forbes married, secondly, in 1741, Elizabeth, daughter of Sir James Gordon of Park, sister to James Gordon of Cobairdy. Thus the latter was both son-in-law and brother-in-law to Lord Forbes! James Gordon joined Prince Charles at Holyrood, in company with several other lairds from Banffshire, in October 1745, and his action was described as “a great surprise”, for “he had no manner of tincture that way, but being a rambling

young lad, was determined mostly by comradeship and something too by the high regard he had for Lord Pitsligo". He was present at Culloden and escaped to France where Louis XV gave him a company in the French service and a pension. He returned to Scotland in 1762 and died in Aberdeen eleven years later.

Andrew complains of the expense of living abroad but says that Paris is just as cheap as any other place, though he must have good clothes, otherwise he would not be able to "gett into any company". He gives some interesting details as to the price of commodities in Paris. "All Butchers meat is about fourpence a pound and feather flesh very dear. A chicken costs from ten to fifteen pence in the Marcetts and every thing in proportion, except wine which is cheap."

On June 26th 1754 Andrew writes to his Mother from "Lille in Flanders" in rather a depressed frame of mind since all hopes from the consequence of the recent elections were at an end. "To tell truth I've often been uneasie to be home but never entirely gave up hopes of it till now, which makes me think of how and in what manner I shall pass and wear out my life with any degree of pleasure and satisfaction." He regrets that his Mother won't allow him to join a foreign army. "Ane idle man as me is exposed to

many expences that one in any business is free of, besides the thoughts of having something to doe amuses, dissipates and helps to banish disagreeable ideas in some measure. I've often thought of going to some retired corner where I could have no chance of seeing company, but on reflection I find that wont doe. My spirits are not sufficient to bear ane absolute retirement tho' upon honour I shun company. I'm sure the Government cannot take a surer way of ruining all in my way than keeping us abroad." He constantly thought of returning home; in this letter he says he is almost prepared to take that risk and, to satisfy the authorities, he would pledge himself never to go outside the bounds of the parish in which the house of Rannes stood.

Still in a very gloomy tone Andrew writes from Paris on 17th August. He is much worried that the health of his Mother and his sister Jean compels them both to live in what he quaintly calls "a Physical way His Mother's health was an omnipresent anxiety to him. "I can't represent how unhappy your weak state makes me. I'm fully satisfied that you're worse than what you write, which makes me the most miserable creature alive. Att present every thing casts up to me in the worst shape can happen." He assures his Mother that if anything unfortunate should befall her, he would be the most wretched person on earth. He

says that sometimes he is seized with the idea of sailing to Scotland and landing secretly in order to spend a month with his Mother; but fear of being arrested and thrown into prison for the rest of his life prevents him from attempting what, in his calmer moments, he must regard as folly and madness. Then—as if wrung from him—he adds, “I really can’t explain how uneasy I’m become about being home. I’d content myself with very poor living to attain it.” He inquires if his Mother ever sees her “great neighbours”—James, 5th Lord Findlater, and his wife at Cullen House, only a few miles from Rannes—as he has hopes of their intercession on his behalf. He suggests other people who might be induced to help, amongst them Lord Adam Gordon whom he says is good-natured. Lord Adam was the youngest son of Alexander, 2nd Duke of Gordon (the Marquis of Huntly of the Rising of 1715). He was M.P. for Aberdeenshire from 1754-68 and became Commander-in-Chief in Scotland in 1782. One of his brothers was Lord Lewis Gordon, the Jacobite. Another influential man whom Andrew named was George Skene, 17th Laird of Skene—“he always professed friendship for me.” The Aberdeen Journal of 7th September 1746 in recording his death that year gives a long eulogy of him, amongst which are the following gems: “that he was fitted for Business,

remarkable for doing good and making up differences amongst his friends and neighbours,” also “he was a father to the fatherless, and a husband to the widow, a sincere good Christian, without ostentation or show. These substantial qualities being accompanied with great knowledge, true taste and an inimitable turn of humour, make the tears of his friends flow unbidden o’er his grave.”

After the receipt of Andrew’s very gloomy letter, Helen Fraser gave her depressed son a maternal lecture. “I received yours of date August 17th wch gives me great pain. I plainly see you labour under that disease of longing for your COUNTRY, which is not like that Resolution and fortitude I thought you had. Don’t give way to that temptation of casting things up in the worst shape, always think that however dismall things may appear to us that what God sees proper to trist us with is best. Our business is to ask the assistance of the Holy Spirit to submit to His Will. Raise up your Curage and Act like a reasonable man. Don’t think of coming home whatever may happen to me. You know how great desire you had to be where you now are and, as you justly observe, your coming home as you at present stand wou’d be reckoned folly and madness. My dear, you may believe ther is nothing on this side of time wou’d make me so happy as seeing you in saftie and nothing wou’d give me so



great pain in the state you are in, as a sight of you. I'm verie sensible of your being ane aff. dutieful Child. It's verie possible you and I may yet meet in the land of the liveing and I think I'm rather Better than worse than when I wrote you last, but you know you and I are nearer our Grave than we was at that time. People in perfect health are cut down everie day and make not yourself unhappy with what may happen." In answer to Andrew's inquiry she informs him that she never sees their "great Neighbours", Lord and Lady Findlater, though she has received "severall Compliments and apologies for not seeing them as they pass and Repass. I hear they enquier about you and where you are, some tims. My dear, dont in the least increase your pain by being anxious about anything that may happen to me, the evils of the day are sufficient to bear, and nothing can happen me in this side of time that can give me more truble than to think of your being uneasy in any shape."

Andrew had been worrying about his expenses and the drain he must be on his Mother's resources. She says that she never grudges him anything and will continue to supply him as long as she lives. He had taken a servant abroad—one Robert Hendry—and often complains of the expense this entails, though he admits he can't get on without him. "Robbie" is for ever wishing—like his master—to return to Scotland

and has informed Andrew that he cannot serve him for the same wages which he used to get in the north, because there he had perquisites. He was paid the magnificent sum of £3 sterling yearly. Andrew explains that his keep costs about £20 a year without reckoning his clothes. Robert was continually giving Andrew what is now known as “notice”, which the latter always ignored or as he says “parried”, for he found “Robbie” most useful when he was ill (which seems to have been frequently), also the servant was acquiring a smattering of the French tongue. Sometimes Andrew resolved to part with him but when the moment arrived he always decided not to do so. His Mother also urged him to keep a servant and he generally acted on her advice. He feels that if he really parts with “Robbie” he must pay his fare back to Scotland—where he originally engaged him—and this is a consideration. So “Robbie” stayed on, and in 1762 Andrew was paying him £5 a year. But, in spite of this advance, “Robbie” informed Andrew in November of that year, when at Rotterdam, that he really wished to leave and return home. Andrew apparently took this badly, he was unwell at the time, and told “Robbie” that after 12 years’ service he might have chosen a better moment for leaving, adding *that he would not allow him to go* until he himself was well enough to travel. “Robbie”, with difficulty, was

persuaded to agree to this. Not till March 1763, when Andrew had returned to London, did master and servant finally separate—after having been together for 13 years, and Robert went into the service of Captain (afterwards Admiral) Robert Duff of Fetteresso where it is hoped he was satisfactory and proved worthy of his greatly increased wages—£16 per annum.

Andrew had asked his Mother who called upon her at Rannes and the proud old lady replies: “Many people that used to visit here does not. If they imagin it gives me pain, ther mistaken. If they come I shall be Civill, but shall not challeng them for unkindness. Blessed be God, I doe not depend on them.” She does, however, name two people who called on her. The new Master of Braco, James Duff, second son of Lord Braco, afterwards 2nd Lord Fife, breakfasted one day with her. He had just been elected M.P. for Banffshire, for which, being only an Irish Peer, he sat for thirty years. He was to prove a good friend to Andrew in later years. George Hay of Mountblairy, the Jacobite, who had recently returned from abroad, also breakfasted at Rannes.

Whilst still in Paris in October 1754 Andrew urges his Mother to apply to any and every one who might take an interest in his case. He suggests that Lord Findlater and Sir Robert Abercrombie

might be approached on his behalf. He proceeds to answer his Mother's lecture. "Dont, my dear Mother, imagine that my desire to be home proceeds from irresolution. If it's my fate to be condemned to live out very possibly the short remainder of my life in this country, if it only touched myself, I could without immense pain doe it, but when I imagine that you and some others are interested and suffer for me, that thought getts the better of me and makes me unhappy. Besides my expence here is monstrous and more than I can affoord, which shagreens me, tho' declare as far as I can with any decency I spare and am ever vexed to lay out for the common necessarys." He finishes this letter with: "I long much for hard fish. If you can spare half a dozen its well." Hard fish means salted—fresh fish being almost unobtainable abroad.

In the letter of 29th November, occurs the first mention of Sir James Steuart and his wife, of whom Andrew was to see a great deal. Sir James Steuart, Bart, of Goodtrees<sup>1</sup> and Coltness, born 1712—therefore a year older than Andrew Hay—was the

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<sup>1</sup> Goodtrees is now called Moredun. It is situated to the south of Edinburgh, in the direction of Liberton. Goodtrees was commonly called "Gutters".

only son of Sir James Steuart, a Whig, Solicitor General and at one time acting Lord Advocate of Scotland. James, the younger, studied law at Edinburgh and was admitted an advocate in 1735. Then he travelled abroad, visiting Leyden and at Avignon met the Duke of Ormonde and other Jacobites, and returned to Scotland in 1740 a convinced supporter of the Stuart interest. It is also said that, while on his travels, he went to Rome and was introduced to Prince Charles Stuart. Sir James Steuart wrote to James Edgar<sup>1</sup> from Lyons on 3rd June 1740, on the former's return from Rome.

“DEAR SIR,

Your kind letter found me here upon my arrival from where you know, being forwarded from thence. We came here with an intention to see once more a little of Italy, but my friends in Scotland press me strongly to come home and I am resolved to comply. In 10 days I shall leave here and shall be at Paris till the end of this month; pray dont fail to write me by first post and direct to Mr. Waters<sup>2</sup> when I shall go and call for it. I am now at last going to old Scotland where I hope it may be in my power to be of some service to the good cause and I hope when you lay

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<sup>1</sup> Secretary to the Old Chevalier.

<sup>2</sup> Jacobite Banker in Paris.

my humble duty at his Mty's feet you will not omit to assure him in my name that my firm intention is to devote myself to his service and to omit nothing that in my low sphere can promote his interest or increase the number of his friends, and think myself highly recompensed for so doing by having discharged the duty I owe to my Prince and country. I hope, Signor mio, that if I get into Parliament,<sup>1</sup> there may be more in my Power and in that case I may probably pay you a visit if the number of our evil days be so long of being accomplished, which God forbid. I intend to send you from Paris a little short alphabetical cypher, to have the pleasure still now and then of a letter from you when in Scotland. Make an offer of my humble duty and best wishes to the two Princes. Tell them I shall sharp my broad sword and clean up my Spanish fusil to be ready at the first call and wait with more impatience for the happy day that Scotland shall see them, than ever I did as yet for anything. A. Dio."<sup>2</sup>

At this stage Sir James seems to have been a convinced Jacobite. Afterwards his heart failed him slightly, until he was urged to join the cause by his

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<sup>1</sup> In 1744 Sir James unsuccessfully contested the Parliamentary seat for Edinburgh.

<sup>2</sup> Stuart MSS. at Windsor.

brother-in-law. In 1743 Sir James Steuart married Lady Frances Wemyss, eldest daughter of James, 5th Earl of Wemyss, and sister of Lord Elcho, who was “out” in the ‘45. John Murray of Broughton<sup>1</sup> had written to James Edgar on 5th September 1743—“Your friend Sir J. Stewart, who is deservedly well liked by all his acquaintance, is to be married to Lord W—ss eldest daughter. A match made by Lord Elcho.”

On Prince Charles’ arrival in Edinburgh, October 1745, Sir James prevailed upon his brother-in-law to conduct him, apparently as a prisoner, to the royal presence. The Earl of Buchan,<sup>2</sup> who had married Agnes, sister of Sir James, was also brought by Lord Elcho to Holyrood, on the same pretence. As the Prince refused to see them except as avowed adherents of his cause, Buchan retired, not wishing to commit himself, but Sir James offered his services, being shortly after sent on a mission to France, where he still was at the time of Culloden. As was the case with his presentation to Prince Charles, there seems to be a good deal of mystery about Sir James Steuart’s departure; In a Government list of rebels not

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<sup>1</sup> Secretary to Prince Charles during the ‘45.

<sup>2</sup> Henry David, 10th Earl of Buchan.

contained in the first Bill of Attainder,<sup>1</sup> 1st November 1746, occurs: "Sir James Stuart of Goodtrees, never in arms, but the Pretender's principal adviser; took shipping for France from Stonehaven Oct. 1745" while the Rev. John Bisset, minister of St. Nicholas Church, Aberdeen, says in his diary, under date 5th December 1745: "I hear the prisoner whom Governor Mergie sometime ago took at Stonehaven *and sent prisoner* to France, was one of the Pretender's agents, a degenerate plant, in that way to cover his embassy." Alexander Garioch of Mergie was then Jacobite Governor of Stonehaven and the alleged prisoner was Sir James Steuart of Goodtrees.<sup>2</sup> Whatever were the true facts of the case, Sir James was excepted by

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<sup>1</sup> P.R.O.

<sup>2</sup> Peter Barclay of Johnstoun an informer, being interrogate concerning Sir James Steuart says that in Nov. 1745 being at Stonehyve in a tavern with Mr. Garioch he saw a person who passed under the name of Brown, called by Mergie a prisoner, but no guard set upon him. Deponent recollected him to be Sir James Steuart. When that person was ordered to be taken on board a french ship by Mergie's command, he took a formal protest in writing against Mergie for forcing him out of the kingdom against his will, but deponent did not think it was a serious protest. He went down to the boat without any guard. (MSS., National Library, Edinburgh).



name from the Act of Indemnity of 1747 and was tried in his absence, when a True Bill was found against him at Edinburgh on 13th October 1748, the evidence being that he was seen “frequently in the Canongate and at Holyrood in company with the Duke of Perth, Lord Elcho and Lord George Murray. Reputed a person of consequence among the Rebels”.

Whilst he was in France, Sir James Steuart received a letter from James Stuart, the Old Chevalier, dated Rome, January 4th 1746. “It was only last Saturday that I received your long letter of the 12th and short one of the 13th Decmr., both which I have perused with much attention and satisfaction. I am extreme sensible of the many and different proofs you have given to us on this occasion of your zeal and affection, and take very well of you the clearness and distinctness with which you inform me of our affair. I am indeed both surprised and concerned at what you say of the small number of The Prince’s Troops—but the same good Providence which has hitherto directed and blessed his undertaking, will I hope finish the work. The great point now is, The English expedition from France, and if Those troops can safely land, without The Prince’s being defeated by the Government Troops in the mean time, I shall hope the best. The choice the Prince made in sending you into France was very agreeable to me. Your

presence has certainly forwarded our affairs at the Court of France and I am glad to remark that by your behaviour since your arrival there, you have made yourself agreeable to those Ministers. It is useless to enter here at present into any details in relation to The Prince's Instructions to you, everything must be done that may encourage The Court of France to support The Prince effectually, and Provided they do that, we must not be nice and vexatious in relation to any other particular. The French are certainly sincere now in their desire to assist us, but till the work be absolutely finished I plainly see they will avoid calling either myself or my Children by our own names, which I really don't think can be wondered at, because if the present enterprise should miscarry, they would be obliged to call us so no more, and Therefore I suppose they think it more prudent and honorable for them not to take such a step till matters are quite sure. In the mean time, they sufficiently show that they acknowledge our Right and are willing to support it, and with that we may be contented. I have no particular Instructions or Directions to send you at present, not doubting but that you will execute those you received from The Prince, with all prudence as well as Zeal. Neither do I remember I have any thing material to say to you more at this time, and Therefore being a little straitned in time this post, I

shall conclude with the assurance of my particular value and kindness for you.”<sup>1</sup>

Being debarred from returning to Scotland Sir James remained in exile for 18 years, living chiefly at Angoulême but he also visited many other places. At Venice he met Lady Mary Wortley Montagu who said that she “never knew people more to my taste” than Sir James and his wife. In 1762 at Spa, during the Seven Years War, though in neutral territory, he was arrested by the French troops for his enthusiastic rejoicing in the success of the British arms, and imprisoned at Luxembourg for several months was eventually released.

Sir James was an industrious author and one of the first Political Economists. In 1757 he published, at Frankfort-on-the-Main, a Vindication of Newton in French and in the same year, while settled at Tübingen, he produced his Treatise on German Coins, written in the German language.

In 1763—the same year as Andrew Hay—he returned to Scotland and was allowed to remain unmolested on his estates, which had never been forfeited. His book, *Inquiry into the Principles of Political Economy*, “was the first considerable work on this subject published in English. It appeared in

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<sup>1</sup> Stuart MSS. at Windsor.

1767, in two volumes quarto. As this work was published nine years before that of Dr. Adam Smith, Sir James Steuart is well entitled to be considered the “father of political economy” in Great Britain. His written reasonings are sometimes tedious and perplexing and Adam Smith himself said he understood Sir James’ system better from his conversation than his volumes. In 1771 Sir James received a full pardon and was presented at Court. Two years later he added the name of Denham to his own, on succeeding to some property burdened with this condition, and became Sir James Steuart Denham. He died of an inflammation in his toe 26th November 1780.<sup>1</sup>

(His son, James, born 1744, resumed, in his old age, the name of Steuart only.)

His wife, Lady Frances, did not escape with him in 1745, but was made prisoner the following year and lodged in a Messenger’s house in London. In March 1747 the Privy Council decided that, “as the trial would occasion so much expense and be attended with great difficultys, she was to be discharged on bail to appear before the Court of Justiciary in Edinburgh.” That court, however, released her;

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<sup>1</sup> Actually of blood-poisoning set up by cutting a nail too close. A memorial to him was placed in Westminster Abbey.

shortly afterwards she joined her husband in France, whence she made several journeys home to plead for leniency on his behalf.

## II THE EXILE IN BELGIUM AND FRANCE

AFTER the arrival in Paris of Sir James Steuart and his wife—with whom Andrew made great friends—the latter seems to have become somewhat cheered, though in a letter of 4th January 1755 he bewails the fact that he has so few with whom to associate—which was not really true—his low spirits were probably due to the fact that he was suffering from rheumatism. He is very grateful to a certain Dr. William Grant, then studying in Paris, the second son of James Grant of Rothiemurchas, known as the “Spreckled Laird”. Dr. Grant attended on Andrew during his illness and even stayed in the house with him so as to be at hand in case of need. The Doctor advised his patient to take more exercise and recommended riding, but Andrew jibs at the expense of buying a horse. His gratitude to Dr. Grant is great: “I’ll venture to say there’s few French Physitians that know so well to prescribe for Scots constitutions as he,” and “I’m fully convinced had I fallen in the hands of the physitians here, that I would have been no more. If I’d been all his friends in one he could not have been more anxious.” Dr. Grant was to prove a firm friend to Andrew and it was at his house in London that the exile stayed when he ultimately returned from abroad.

In February 1755 Andrew was in Brussels, whence

he thanks his Mother for supplying him with money. His necessities, he says, are great but "I endeavour to make them as few as I can". He was then living with Sir James Steuart whom he describes as a "good and agreeable companion and one what's a great economist". Lady Frances Steuart had gone to London on her husband's behalf and the two men are anxiously awaiting the result of her endeavour. As they have many and powerful friends, Andrew is hopeful on their account but he is despondent about his own chances. Andrew's Mother had begged him not to worry about her. He answers, "You're so good as desire me lay aside anxiety about you. You might equally well have advised giving up thinking of life. I wish to God I had any opportunity of giving proper testimonys of the sense I have of your kindness and bounty. At times I can't help thinking that we'll meet before death separate us. You have my sincerest and ardentest wishes for your long life and good health." He also, in his turn, offers her some good advice. Whilst regretting that she is suffering from weakness in her limbs and eyes, he suggests that she should keep "a chaise" and often go out in it, as he is sure it would be beneficial to her. For some days he has been confined to his room by a pain in the foot, "very piercing at times, which I'm told by those that have seen it is the gout. I'm loth to believe it, tho' my

companion, the Knight,<sup>1</sup> who has had it often within these few years, assures me of it. I'm otherways perfectly well and has a good stomach, which is very common in that distemper." At the conclusion of this letter he asks, "Be so good as advise me if you knew or ever heard of any of my near friends that were attacked with the gout, because I'm told that disease goes in a blood?"

James Gordon of Cobairdy visited Andrew in Paris in February and invited him to go to Sens, where Gordon was then staying, that Andrew might ride the former's horses, of which he appears to have had a good many. So Andrew tells his Mother that he will shortly set out by the Lyons coach for Sens.<sup>2</sup>

He mentions that: "There has not been a harder winter in Scotland since I remember, than what we

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<sup>1</sup> Sir James Steuart was really a Baronet, but Andrew always alludes to him as "the Knight"

<sup>2</sup> At Sens he also met his relative, Sir William Hay, who was very friendly towards him and mentions him several times in letters to Rome.

Prince Charles himself also became interested in Andrew and made an application (through John Gordon of the Scots College, Paris) to have "this worthy gentleman, Mr. Hay of Rannes", included in the list of gratifications by the French government, but the application was not successful. (Stuart papers.)



have had this year. The cold is much more piercing than with us and fire so dear that few can afford wherewith to warm them. The poor here in cold weather are very great objects.”

Having reached Sens he writes on 5th May that he is much indebted to the kindness of James Gordon and his wife, that he rides their horses frequently and has greatly benefited by the exercise and change of air. For his Mother's comfort he informs her that “I'm now, thank God, haill and strong, which I intend to preserve by a regular dyet and sobriety. I can assure you that I seldome exceed in the article of drink.” At Sens, Andrew met some Scots people living there who were most friendly to him. Amongst these he mentions John Macdonald of Largie, Argyleshire, and his wife.<sup>1</sup>

Andrew remained at Sens till the beginning of June when he returned to Paris from which he writes on 4th July, once more in a depressed mood. Perhaps it was owing to the change from leading a healthy life in the country, where he rode and took plenty of

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<sup>1</sup> John Macdonald of Largie, married Elizabeth, only daughter of John Macleod of Muiravonside, Linlithgow. They had an only daughter Elizabeth, who married Charles Lockhart, third son of George Lockhart of Carnwath, and he assumed the name of Macdonald.

exercise, to the more sedentary existence of a town. "I'm sometimes miserable with ye thoughts that there's no prospect of ever getting home. It's hard that the hearts of those in power will never relent. Is our banishment to be eternal? I begin to regrate that I did not push for something here, tho' the truth is I'd rather live on bread and water with you than live here with all I possibly could expect. Every day I long more and more to see you."

His Mother writes to him on 7th July about his brother Alexander, who appears to have been a great trouble to her. He was once employed in the mercantile house of James Hay in Holland but had given up his post and returned home where he was then doing nothing. He was a lazy feckless fellow, with no ambition and a marked detestation of work though there was this excuse for him that he had a tendency to consumption. Helen Fraser had given him a good lecture about his idleness and he had burst into tears, declaring that he would go to the plantations. His Mother doesn't want him to go so far from home, though she does wish him to be employed, so she turns to Andrew for advice. Alexander is at least sober. His Mother had suggested that he might live abroad with Andrew, but Alexander had declined that proposal, saying that they would not agree. Then a clerkship in London was suggested

to him but he had said that he would hate that. What is to be done with him? His Mother in desperation then suggests smuggling. This was put forward in all seriousness. After the Act of Union in 1707 the Fiscal Laws of England were extended to Scotland (where they were naturally resented, especially by the Jacobites), heavy export and import duties being imposed. Smuggling—euphemistically called “free or fair trading”—was eagerly carried on (even by people in respectable positions of life) in wine, brandy, gin, tea, silks and tobacco up to 1780. The risk in those days was landing the goods. After they were safely housed, the Excise made no further enquiry. In the 18th century smuggling was so generally practised in Great Britain as to become a kind of national failing. Adam Smith writes of the smuggler of that period as “a person who, though no doubt highly blamable for violating the laws of his country, is frequently incapable of violating those of natural justice, and would have been in every respect an excellent citizen had not the laws of his country made that a crime which nature never meant to be so”.

Apparently there was a good deal of smuggling on the coast of Banffshire in the early part of the 18th century, the nearest Customs House being at Aberdeen which is about 46 miles from the county town. It was not till 1790 that a Custom House was

established in Banff, and the only one then to exist between Aberdeen and Inverness. A medical officer who accompanied the Duke of Cumberland on his march to Culloden, in 1746, says of Banff: "The town, I believe, lives chiefly by smuggling." Twenty years earlier the Commissioners of Supply of the county realising "the great loss this pairt of the countrey sustains by running and selling such quantitys of brandie therein, have firmly resolved to discourage that practice for the future...have therefore come to the following resolution, that from and after the first of Aprile next they will drink no brandy by itself in any mixture in any public house". In the Minutes of the Town Council of Banff for 11th August 1744, there is this entry: "Wee, the Magistrates and Councell of the Burgh of Banff takeing into our serious consideration the destructive practice of smugling prohibited and uncustomed goods, particularly brandy and tea, and the many fatall consequences attending that pernicious unlawful trade, do therefore unanimouslie resolve to discourage and suppress the same by all legal methods to the outmost of our power, as also to discourage by our example, the immoderate use of Tea, and all forraign commodities, and we ordain this our resolution to be intimate and published throughout this burgh by tuck of drum." Even the 2nd Lord Fife was not above these practices.

Writing from Paris in October 1765, he consults his factor as to the best manner of sending wine from France to Scotland. Obviously he intends to smuggle this, for he says the matter “must be kept secret as Baillie Hay (in Banff) would be very pleased if our little Cargo was seized”.

With the danger and uncertainty of what has been termed this “ancient craft” it is small wonder that Alexander Hay was not anxious to embark on it, more particularly as his mother wrote, “nor wou’d his strength afford the activities necessaire to that bussieness.”<sup>1</sup> Andrew in his reply of 5th August says

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<sup>1</sup> It will be remembered that the Porteous Riots in Edinburgh in 1736 arose from public sympathy with a man named Andrew Wilson, an Edinburgh merchant and a smuggler, who enabled his confederate, Robertson, to escape from St. Giles Cathedral where they were taken from the Tolbooth on the Sunday before their execution to attend divine service. It appears, according to a letter of Allan Ramsay, the poet, that Wilson who was a very strong man “took Robertson by the head band of his breeks and threw him out of the seat, held a soger fast in each hand and one of them with his teeth”, whilst Robertson rushed from the Church and, being assisted by sympathisers, made good his escape. Wilson himself was executed. The mob rose against what was considered an injustice, Porteous in command of the city troops, fired and there were some casualties. Porteous was

of his brother Alexander, “smuggling is at best but a very uncertain trade and what I think he’s right not to attempt.” Alexander remained working on the farm at Rannes till his death in 1771.

In writing from Paris on 29th July, Andrew says that a war between England and France is looked upon as inevitable, the French and English ministers having both returned to their native countries. It was expected that on the declaration of war all British subjects would be obliged to return home or at least leave France. What is poor Andrew to do? He has various ideas in his mind but he wants advice and, above all, his Mother’s approval; he thinks of going to Italy, probably Venice, where, as he pathetically puts it “my breathing can’t offend”. If that is not found suitable, he may go to Switzerland or Germany. It matters little to the unhappy exile where he lives. “The whole world is the same to me, pleasure I can have nowhere out of Brittain.” But he has made some friends in Paris who are good to him and he contradicts his previous statement (see page 56) as to friendship by saying, “I’ve the vanity to say that none from my Country are better with all my countrymen than myself.” Referring to his brother’s health,

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arrested and during his confinement the mob in its anger broke open the prison and hanged him.

Andrew suggests that if it does not improve, Alexander should be sent abroad to him. "Assure Sandy at the same time that my temper shall give him no pain." The plan, however, never matured. Andrew again talks of buying a horse but says that he couldn't obtain one—that would carry him—under 25 or 30 guineas which "frights" him, and the cost of keeping the animal would amount to a shilling a day. He mentions that James Gordon of Cobairdy gave 70 guineas for two horses for his coach at Sens.

Owing to the threat of war between England and France, British subjects were advised to leave French territory, so Andrew, Sir James Steuart, his wife and son set out for Brussels on 1st October, accompanied by George Gordon of Hallhead. It was his wife—Amy, an Englishwoman, daughter of Thomas Bowdler, grandfather of the expurgator of Shakespeare—who had all her household goods stolen by Cumberland and Hawley during their stay in Aberdeen just before Culloden. Some of the china thus annexed was recognised in a shop in London by a friend of Mrs. Gordon's, who had the curiosity to go in and ask the shopman from whom he had bought it. He said from a woman of the town, who told him it was given to her by the Duke of Cumberland!

Whilst at Brussels, Andrew describes how: "Sir James Steuart, Hallhead and I went and called for the

two British Ministers, one of whom is Andrew Mitchell of Thainston<sup>1</sup> who, tho' well acquainted with my two companions, neither repaid their nor my visitt, tho' the other Minister did, who is called Dayrolles. We mett with Mr. Mitchell att the Comedy, he did not choose to take any notice of us." The two British Ministers referred to were Andrew Mitchell of Thainston, Aberdeenshire (1708-1771), who was appointed to Brussels in 1751, and in 1756 became British Envoy to the Court of Prussia, being made K.B. in 1765; and Solomon Dayrolles, who had been Master of the Revels to George II in 1744. He was Secretary to Lord Chesterfield, his godfather, when the latter was ambassador to the Hague in 1745, was himself resident at the Hague from 1747-1751 and in the latter year was appointed to Brussels, where he remained till 1757. The great Lord Chesterfield's last words were said to have been, "Give Dayrolles a chair."

It was proposed that the little party should pass the winter at Brussels if it were found "safe, cheap and agreeable. But upon tryall we found neither." So the troubled Jacobites left and went to Liège, which Andrew didn't like. "I'm of opinion our stay here wont be long as it's a dear place without any pleasure

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<sup>1</sup> Who had supported Andrew's original petition in 1747. See page 22.



except safety. This is one of the ugliest dirty towns I ever saw. The Prince that's Bishop and Sovereign of the country is the Cardinal brother to the Elector of Bavaria.<sup>1</sup> He is not here, but we've waited of the leading man, who presided in his absence, who show'd us great civility." Andrew returns to his old wail, "I wish the Government would think of letting us home. Sure I am they've nothing to fear from all of us put together. I'm fully disgusted with being obliged to remove myself on every occasion to satisfy the caprice of others. It's certain that a few years will totally ruine many of us, if oblided to roll about." Beginning with this letter he always signs his name Andrew Hay instead of "Andrew Gordon", telling his Mother that "borrowed ones answers no end and I'm the only one that uses one".

Andrew orders a tartan nightgown—really a dressing gown—to be made in Scotland and hopes that it will pass the customs! "When confined to the house, a night gown is very necessary, tho' I've never thought of haveing one since I came abroad. You may either line it with nankin or worsted damask." He also

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<sup>1</sup> Charles Theodore (1733-1799). Elector Palatine of the House of Wittlesbach, also succeeded to Bavaria in 1777. The Stuart line in the Palatinate became extinct in Prince Rupert's nephew, Karl, who died in 1685.

asks for new stockings—it was probably difficult to obtain those of his size—and, with true Scottish frugality, directs that they “be washed and dirty’d again, that they don’t pass for new.” He was not one to waste money and was very particular about what he always called “oeconomy”. “I likewise beg if there’s any of my drawers that’s worth sending to put them in the same pacquett”—this was nearly 4 years after he had left home—“as likewise my knife, fork and spoon, which I once carried in my pocket, as I’ve use for them every day.” Andrew must have taken a peculiar pleasure in asking for the above mentioned garment as the use of tartan in any form was forbidden by a law of 1747, under which the penalty was six months’ imprisonment for the first offence and for the second, transportation to the Colonies. This Act was not repealed until 1782.

Though not liking Liège, Andrew was still there at the date of his next letter, 29th November. In that he says that his companion, Sir James Steuart, has been advised by his friends that it is now the proper time to apply to the Government for mercy. So he hopes that his Mother will use every possible endeavour for him, and urges her to write to their distant relative, the Marquis of Tweeddale. “I’d be happy to obtain my liberty by his intercession, but my desire of being home is so strong that I’d doe anything consistent

with my honour to obtain the liberty.” He alludes to the fact that besides Lady Frances Steuart’s energy on behalf of her husband, James Gordon of Cobairdy is doing all he can to get his friends to advance his case. “It will be hard if none can be prevailed on to appear in my behalf. If that should be the case, as it probably may, I must bear it, as I’ve formerly other misfortunes.” He suggests more people to whom his Mother might make application, such as Alexander Fraser, Lord Strichen, a senator of the College of Justice—“he is a worthy man and delights in doing good offices”—and “Inverallachy’s interest with Udney might be of service”. Charles Fraser of Inverallachy married Anne, daughter of John Udney of Udney. Their son, Charles, was killed at Culloden under particularly distressing circumstances. A human cry comes from Andrew’s heart when he writes—“Lett every body you think can be of use be applyed to, it’s scarcely possible to imagine how anxious I’m become to be home.” He has recently had a letter from his friend, William Grant in London, in which the Doctor suggests that he should write to the Duke of Newcastle<sup>1</sup> who had great interest with the King, but Andrew is doubtful of the wisdom of this course as seeming impertinence.

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<sup>1</sup> Thomas Pelham-Holles, created first Duke of Newcastle-upon-Tyne, and then of Newcastle-under-Lyme.

Finding Liège dull and not having any employment, Andrew has taken much to reading, though unfortunately he does not say what sort of books he preferred. Unable to bear Liège any more, he tells his Mother that he is going to Spa for a short visit to see a relative, Alexander Hay of Arnboth, a Jacobite of the '15 who had been captured at Dunfermline, imprisoned at Stirling and taken to Carlisle for trial. He was pardoned on account of his youth, he being then about nineteen. Ultimately he went abroad and lived at Spa where he made a fortune by selling its curative waters! Spa, during the 18th century, was a very popular resort both with English and Scots—the latter especially, as evidence of which there is the Rue Dundas—and Andrew met some of his countrymen there. It is interesting to remember that Spa was the German Headquarters throughout the Great War and that from that town, after signing his abdication, the Kaiser went to the Dutch frontier and thence into exile.

The next letter is dated 30th December from Brussels. Andrew complains that even there he has made no friends and is inclined to be more melancholy than ever. One wonders how he can have employed himself all day! He writes that if nothing can be done for him, he proposes to leave the Low Countries in the spring and go to Switzerland or Italy,

“where I’ll establish myself that the Government have may no reason to be offended.” He had taken a trip to Bruges with Sir James Steuart—to spend Christmas Day—when a mild shock of an earthquake took place. “We passed a melancholy Christmas in a bad Inn, the most disagreeable we ever passed. I hope you’ve had ane agreeable with some of your nearest about you.” Then wistfully he writes: “Good God how I envy those that see you. Many happy new years, my dear Mother.”

In the correspondence there follow four letters in connection with an application made by Mrs. Hay to the Marquess of Tweeddale on behalf of her son. The first, dated 1710, is from Charles Hay of Rannes, Andrew’s father and his relations, to John, 2nd Marquess of Tweeddale, Lord Chancellor of Scotland in 1704. He was grandfather of John, the 4th Marquis, to whom Helen Fraser wrote in 1756. Charles Hay’s letter is full of gratitude to the Marquess and, claiming connection with his family (he was 8th cousin once removed of the 3rd Marquess!), explains Helen Fraser’s later application. The first mentioned letter is so curious—in spelling and composition—that it is given in full.

“MY LORD,

The affectionate sence of our duty and Dependence upon the most noble familie of Twaddell, and of your

Lordships kindness to the bearer hereof, John Hay the Lawfull son of Major John Hay of Echress, does oblige us to offer our most humble and Dutyfull respects to your Lordship and to that illustrious familie, to which we most Justly ow obeisance and Subjection; for the providence by Distance of place has denyed us the honour and advantage of receiving Immediate and frequent influences from that noble stem, whence we presume to have had the honour to be descended, yet no Distance either of time or place, shall ever subvert or violate our bounden duty and intire respects from the same, nor make us forget the Courticies conferred on the bearer. My Lord, your Lordships favour in Countinancing the said John Hay our Cusing and near relation, does oblige us to render your Lordship manyfold thanks, and imboldens us to presume earnestly to intreat that as your Lordship has been heretofore so kind as to take him into your patrociny, inspection and care, so your Lordship may be pleased to shew him what more favour he is capable of, as your Lordship's pleasure and opportunities will allow, without any prejudice to your Lordship's interest.

My Lord, it being our ambition to be esteemed to be descended as forsaide is, we with great earnestness desire opportunities, wherein we may express our dutyfull respects to your Lordship's most Honourable

relations, and our thankfulness to your Lordship. May that most Honourable family flourish more and more and adorn the place where it prospers, May your Lordship be as August as your famous ancestors, that it may be our great honour publickly to profess, and at all occasions to testifie that we are in sincerity

My Lord

Your Lordship's most obsequious and very  
humble servants

CHA. HAY OF RANNES

JOHN HAY OF MALDAVATT

WILL. HAY TUTOR OF RANNES

Rannes August 29th, 1710.

Cha. Hay of Ranachie

Jo. Hay of Asleid

And. Hay of Mountblairie

J. Hay Parson of Rathven

Andro Hay Minister at Aberlour."

The original of the above letter is in the Marquess of Tweeddale's charter chest at Yester.

There follows a copy of Mrs. Hay's letter, dated to Alexander Hay of Mordington, son of Thomas Hay, a lord of Session, under the title of Lord Huntington. John Hay of Restalrig (Secretary to Prince Charles, after John Murray of Broughton) was a brother of Thomas. They were of the family of Hay of Alderstone and Hermiston, Berwickshire. Helen Fraser begs Alexander Hay to forward to the Marquess of

Tweeddale a letter from her which Andrew had suggested her writing to him. She gives her reasons for thus troubling Alexander Hay. “The habits which alwise subsisted betwixt your father and grandfather and the deceast Charles Hay of Rannes, my husband, encourage me to beg you’ll forgive the trouble of this application. My husband told me that he had been also much obliged to your self for having the goodness to go along with him and introduce him to My Lord,<sup>1</sup> a little before his death, when he went to solícite his interest in favour of his unfortunate eldest son. These are obligations never to be forgotten, but, as my son still continues in the same unhappie state, I have taken the liberty to put the inclosed under your cover, and which I must beg you’ll have the goodness to deliver as being the most proper person I could possibly think of, and who I know will use your own good offices to prevaill with his Lordship to give a favourable ear to my suit.” Next comes a copy of a letter: “To the Most Noble The Lord Marquis of Twedale,” which is also given in its entirety.

“1756.

MY LORD MARQUIS,

Your Lordship will have the goodness to pennitt a poor old dyeing woman, the widow of Charles Hay of

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<sup>1</sup> The Marquess of Tweeddale.



Rannes, who had the honour to be descended of your family, to sollicite your interest in favour of Andrew Hay, my eldest son, whose unhappy situation is known to your Lop. My husband had the honour, a little before his death, to adress your Lordship on the same subject, and entertained great hopes that your Lop would have the goodness to take a proper opportunity of representing his case in a favourable light. Since his death, my Son was obliged to go abroad but has carefully avoided engaging in fforeign service or doing any thing that could give the smallest offence.

Upon the first appearance of the War,<sup>1</sup> he left France and retired to Leige, where he still remains, anxious to return home, if he could obtain permission. I know he possesses the same sentiments as his father and would rather wish to be indebted to your Lop. for his Relief than to any other person in the world, and that he never distinguished himself by activity in the unluckie affair he was engaged in, but I am sure he will distinguish himself by gratitude if he shall obtain forgiveness, and by a behaviour suitable to so great ane obligation.

Our only hopes depend on your Lop's goodness

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<sup>1</sup> War broke out between England and France in 1756.

who will pardon the importunate suit of a poor disconsolate widow. That Heaven may long preserve your Lordship and my Lady Marchioness as a blessing to your family, and that your family may be alwise prosperous and happie for a blessing to your Country and all your concerns, is the most ardent wish of

My Lord Marquis  
your Lordship's most obedient and most  
humble Servant

HELEN FRASER."

Alexander Hay forwarded the above letter and was compelled to inform the anxious Mother that the Marquess of Tweeddale regretted he could do nothing in the matter. This was a great blow to the devoted parent.

Though all that time unaware of his Mother's application to Lord Tweeddale, Andrew still urges her to apply in every possible quarter, and he writes thus from Brussels on 20th January 1756. "It's to you and you only I fly for relief when discontent and make my complaints, and the truth is that it's from you only that I look for any comfort." He adds bitterly, "I know men better than to look for any favour at the expense of interest." Besides his other worries he now has a toothache and "a defluction in the jaws" (whatever he may have meant by that; possibly a gum boil). He mentions that Alexander Duff, afterwards 3rd Earl of

Fife, arrived in Brussels two days previously but that he had not seen him, “nor probably wont, as he told me att Paris that, by letters from home, he was ordered to see none in my way.” His father, William Duff, a Whig, had been created Baron Braco of Kilbryde in 1735 and had no doubt forbidden his son to hold any communication with Jacobites, being anxious not to permit anything which might hinder his advancement in the peerage. In 1759 he was made Viscount Macduff and Earl Fife.

In the spring of 1755 Andrew goes into mourning for a distant relation who had died in the north of Scotland. This was George Gordon, 7th Laird of Buckie, Banffshire, who had been “out” in the ‘45. In the French Foreign Office there is a letter from an anonymous correspondent in Edinburgh, dated 20th October 1745, in which it is stated that “George Gordon of Buckie, Andrew Hay of Rannes and most of the gendemen of Banffshire, mounted on horses”, had the honour of being constantly with Prince Charles.

Andrew in April was living in Brussels with Sir James Steuart. “I’m happy in his company as he has one of the sweetest tempers and is a man of the best sense and entertaining parts I ever knew.” Lady Frances was then in Scotland. Andrew says that Sir James and he “live quite retired, goe out every day to our dinner att ane inn where we see nobody but a few

French. Supper, breakfast, we take none. We oeconomise all we can.” Arthur Abercromby had recommended the exile to apply to Colonel Yorke at the Hague, but Andrew fears that if he went there he would probably be treated in the same manner as by the British Ministers at Brussels. The Colonel above mentioned was Joseph Yorke, Baron Dover (1724-1792), third son of Philip, 1st Earl of Hardwicke. He was Secretary to the Embassy in Paris 1749, British Minister at the Hague (1751-1756) and Ambassador there from 1761 to 1780. James Boswell described him at the Hague about 1763, as “so anxious lest people should forget that he was an ambassador, that he held his head as high and spoke as little as possible”.

Early in June, Andrew left Brussels for Spa in company with Sir James Steuart, his wife (who had then returned from Scotland having failed in her quest), their son, and Lady Helen Dalrymple, sister of Lady Frances and wife of Captain Hew Dalrymple of Fordel. Lady Helen proposed to take the waters at Spa. Andrew explains that he is going with the party, “tho’ I have no immediate necessity, thank God, for the waters, I intend to drink them for some time, on account of being in the agreeable society I now enjoy.” He says he left Brussels, “one of the most beautiful cities in the world, without regrate, as the great number of English and Scots that came there, on

being obliged to leave France, shuned us for fear of the Minister.” He hears that his poor fellow-sufferers in Scotland are being hunted more than ever—though it was ten years since Culloden—and just about this time the venerable Lord Pitsligo had a narrow escape from capture. Andrew wishes to know if the renewal of this persecution has arisen from some indiscretions on the part of the Jacobites, from orders of those in power, or from the ill-placed zeal of the commanding officers. At any rate he may congratulate himself on being out of the country.

In the *Letters and Journals of Mrs. Calderwood of Polton*, wife of Thomas Calderwood and sister of Sir James Steuart, the writer describes a tour on the Continent during which she met Andrew Hay at Spa. “This Mr. Hay is a very good lad, was concerned in the 1745, and stayed at home for some years after, but was so remarkable by his height, that he was often pursued from place to place, and obliged to come abroad. He is the *tallest man ever I saw that was not a show*,<sup>1</sup> and looks rather taller than he is, as he is not

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<sup>1</sup> One of the most remarkable British giants, Charles Byrne, born in 1763, was 8 feet 2 inches in height. His father was Irish and his mother Scottish; neither was of unusual size. Charles Byrne travelled the country exhibiting himself. Whilst in Edinburgh he frightened the night watchmen on the North Bridge by lighting

well made." Mrs. Calderwood also describes a visit she paid to a church at Spa in which she was accompanied by Lady Helen Dalrymple and Andrew Hay. "I went into the benediction at the Capucines one night; they have no musick, but their own voices, which is horrid. Some sat, some kneeled and I did not know when to do either. At last in came an old Jesuite, who was at Spaw for health and sat down by me, so I resolved to do as he did. I found he used freedom with his friends and only kneeled at the elevation. Mr. Hay, that he might be sure he was right, kneeled all the time, *but as he is a prodigious size, he was as tall as any when on his knees and the folks thought he was standing!* The common folks were in such a passion and held such a tittle-tatling to each other that I could not understand what they were about, as my back was to him. After it was over they made a terrible complaint to this old Jesuite, who composed them and said we were strangers and did not know the custom. Mr. Hay was like to go mad that he had *hurt all his knees* to please them to so little

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his pipe at one of the street lamps without even raising himself on tiptoe. He died in 1783 and it is stated that he wished his body might be sunk in the Downs, but his skeleton and top boots are now in the Museum of the Royal College of Surgeons, Lincoln's Inn Fields.

purpose.”

A considerable period elapsed from the date of Andrew's latest letter, written in June, to that of the next sent from Liège on 18th October. He has been at Aix la Chapelle with the Steuarts who are now going on to Frankfort. He does not know what to do with himself or where to go and earnestly seeks his Mother's opinion. No change however was made and he remained in Liège—a place he thoroughly detested<sup>1</sup> and found expensive—till May 1757. He wrote to his Mother, “The people here does not choose to make acquaintance with strangers, which makes it very dull and like to give me the Vapours. I never past a winter so disagreeably. I have few or rather no acquaintance, except for Mr. and Mrs. Gordon of Cobairdy, their company is the only resource I have for amusement

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<sup>1</sup> In this opinion he was emphatically supported by Mrs. Calderwood who, in the account of her travels in 1756 writes: “we came to Liège, which of all the towns ever I saw, I think the most abominable.” There is a quaint reference to Liège in *Les Delices des Pay-Bas*, 1785: “On dit que cette Ville est l'Enfer des femmes, le Purgatoire des hommes, et le Paradis des Pretres.”

Mrs. Calderwood also mentions that at Liège she met James Gordon of Cobairdy and his wife, who had then been living in that town for six months and “during all this time he was taken for the Pretender. Some say the Pretender did live there some months.”

“except reading. He complains that food and lodging are both dear in Liège owing to the march of the French army through the town—troops arrive and depart every day and prices are doubled.

In May 1757 Andrew was back in Brussels having travelled there with James Gordon and his wife who have now gone on to Paris. Andrew was compelled to get some new clothes, which seem to have been very necessary for as he says himself: “I have not made a stitch of any kind of cloathes these two years, by which means I’m almost naked.” He is buying shirts with ruffles at 17 shillings each and 6 night shirts which will cost about 7s. 6d. apiece, giving as an excuse for his neglect that, “I was in hopes of obtaining liberty to get home, where cloathes I can’t wear here would have been sufficient. Att my first comeing abroad, I spent more than now, as I was entirely ignorant of the manner of liveing, but now I goe to the cheapest Publick table I find in the place to dine.” Again comes his complaint, “I’m thorowly and fully wearied with rolling about.” He has some new schemes in his head; one of which is to take a small house “in a cheap and reasonable healthy place in France, where I can make my own kitchen, in which event my family will consist of three—myself, Robert (his servant) and a cook maid”. But if he decides on this he assures his Mother that she will be previously



informed to have her approval. However nothing came of the plan. He tells his Mother that he is sending her a hamper of Spa water as he is convinced it will be of great use to her and his sister Jean. "It's the best and most sovereign cure for all disturbances, pains in the stomach or headache," and adds how well the waters had made him. He gives her the most careful directions for using them. "You begin by drinking half a bottle early in the morning, in water glasses, a quarter of an hour betwixt each, encreasing a glass every day till you drink a bottle. They'll make you drowsie and inclined to sleep, but att no rate yeald to it, but walk up and down and take exercise to make them pass, which they generally doe by urine or stool. For if they don't pass, you must take a little dose of salts to help them now and then. You may drink a bottle every day for a fournight and then intermitt for two three weeks, before you begin to take them anew. Dont brakefast for ane hour after the last glass of water, by which time I hope you'll have a good appetite, att least they had that effects on me. You can have more of them if thought necessary from Mr. Hay, a son of Arnbath's, that lives at Spa." In July he rejoined James Gordon of Cobairdy and his wife at Paris, principally for the sake of company, though he knows his Mother does not approve of his being in the French capital. There followed a long visit

there which lasted till the middle of 1760. He enquires as to the identity of "Captain Morrice, who's married the Dutchess of Gordon, is he English or Irish?" The man referred to was Staats Long Morris, son of James Morris of Morrisania, near New York. He became a Captain in the British Army in 1756 and in the same year married Catherine, widow of Cosmo George, 3rd Duke of Gordon, being then twenty-five years of age. Horace Walpole, writing to Lord Hailes, 10th February 1781, tells a delightful story about the raising of the 89th Regiment, 1759-1765. The Duke of Argyll wanted the command of it for a favourite of his own. The Dowager Duchess of Gordon insisted on it for her second husband. The Duke said, "Oh to be sure, her Grace must be obliged," and instantly got the regiment ordered to the East Indies! Morris was Colonel of the 61st Foot in 1778 and became a General 20 years later, he was also M.P. for the Elgin Boroughs from 1774 for 10 years. The Duchess dying in 1779, he married the following year, Jane, daughter of John Urquhart of Craigston, Aberdeenshire. He died in 1800 as Governor of Quebec, leaving no issue, and is buried in Westminster Abbey.

Still in Paris in August, Andrew apologises to his Mother for being there and hopes it will not be attended with "disagreeable consequence", but saw no advantage in leaving that place as he has some friends

there. "My return here was not meant to offend or disobey, but merely to pass the time in an easier manner. I'll endeavour to live so inoffensively as I hope will put it out of the power even of Malice itself to misrepresent me," and he finishes his letter with, "I'm of so little consequence that it matters not where I reside."

Whilst at Paris, Andrew receives a letter from Sir James Steuart then living at Tubingen in Württemberg and putting the finishing touches to his work on German coins, which was published that year. He trespasses on his friendship and Andrew's good nature by asking him to execute numerous shopping commissions for himself and Lady Frances. Possibly Andrew may have even been glad of the temporary occupation. Sir James gives him minute directions about buying some clothes, but his wife's orders were more exacting. "Fanny adds that you must find for her 12 tea cups and saucers of Indian china, cheap and strong, not large, for in this country people swallow you down 4 or 5 cups of coffee with as much ease as we used to drink one at Bruxelles. She must have with them a teapot, sugar box and slop basin. She says there is no matter tho' they be not of the same kind exactly, provided that circumstance can make you find them easier and cheaper." It is a pretty picture to think of the giant sallying forth in the

streets of Paris to buy china; he says, “The people generally in this kingdome are polite, free and open, receive strangers better than any other I’ve yet seen, but if it’s judged necessary my leaving the few agreements I have, I’ll doe it.” Again he had to go into mourning, which must have been to him a great and unnecessary expense and one which in his inmost thoughts he probably grudged. “I’m obliged just now to make a suit of black cloaths to mourn for the Queen of Polland.<sup>1</sup> She’s mother in law to the Dauphin, so generall mourning is ordered by the King. Not one that can afford a black coat will want it. There’s no appearing without mourning on such ane occasion.” He adds—probably to soothe his beloved Mother’s troubled mind—that “I shall certainly not pass the winter here”.

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<sup>1</sup> The Queen of Poland (wife of August III) was Marie Josephe, Archduchess and daughter of the Emperor Joseph I. Her third daughter, also called Marie Josephe, married Louis XV’s son, Louis the Dauphin, and became the mother of Louis XVI, Louis XVIII and Charles X.

### III

## THE EXILE YEARNS FOR HOME

HOWEVER, he began 1758 in Paris and he writes to his Mother on the 15th January to wish her a Happy New Year. "I'd or now profited of the New Year to've made you the compliments of the Season, but a painfull fit of the gout, which seased me end of last year, has hitherto prevented me that pleasure. This is the first day I've been able to put pen to paper. This fitt of the gout was violent and settled in the great joynt of the big toe of my right foot.<sup>1</sup> The pain is now mostly over and there remains only a great weakness which prevents my walking as yett thorrow the room, but I hope soon to get the use of my limbs." The gout has evidently lowered his spirits, never good at the best of times, for he almost seems to cry out: "I'm a useless burthen of a creature on earth, I can neither be of service to my friends nor to myself, yet I've no inclination to leave this bad world, always in hopes of being happy in my country and friends." At last Lord Braco has been to see his Mother and Andrew is anxious to know if he has visited her again as his hopes rise at the thought of what that nobleman might be able to do for him.

Andrew received another letter from Sir James

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<sup>1</sup> A curious reason for not writing.

Steuart, written from Tubingen on 7th March, in which he says that he has been very ill, but has now recovered, though still rather weak. He mentions that his wife and he are proposing to make a tour of three months through Italy and hopes that Andrew will join the party, as everything will be done on the most economical lines. Either Andrew feared the expense or else he thought he was not well enough to travel, for he did not make the Italian trip.

Helen Fraser replies from Rannes on 1st June to answer a letter from Andrew in which he complains that he hasn't heard from her for four months. She is greatly shocked at this accusation and says that she has written but possibly the letters were mislaid. As, however, she also says that she had nothing material to write about, that her eyes are weak and postages high, that her son, Alexander, and Jean, who occasionally acted as her secretaries, were often not available on post days, that she thought their cousin, James Hay, had written the family news, it is equally possible that the dear old lady had not written and that there was some ground for Andrew's complaint.

His Mother, who knows how to get at Andrew's kind heart, skilfully turns to a topic in which she is certain he will sympathise. His neice, Jessie Leith, daughter of his sister Mary and John Leith of Leith Hall, who was consumptive, had been "so much at the

geats of Death, that it seem'd to the physicians to be very near. However it has pleas'd God that she has recruited a little and if her disease do not recur with violence soon, she designs to try the waters of Bristol or Duns." His Mother suggests that if the Hot Wells in England or the springs in Berwickshire do not cure her, she might visit him abroad, when perhaps the complete change of air and scene would prove beneficial to her. Helen Fraser's letter is full of the deaths of friends and neighbours which exceedingly depressed her son. "A good many people are dying here and severalls of your friends are dead since I wrote." She mentions the decease of his Aunt, Mrs. Hay of Cocklaw, also that of Mrs. George Hay<sup>1</sup> of Mountblairy, and of his neice, Helen Gordon of Shellagreen, who "dyed of a fever of 30 days, in Aberdeen, where she had been for her education". To pile up the gloom she informs Andrew that "our tennant, Charles Donaldson, died of an Hydropsy and was burried yesterday. Sandie<sup>2</sup> has been very bad of late, of such a cold as I thought wou'd have ended in a decay. He's better, but not yet free of his cough." But

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<sup>1</sup> Lady Janet Duff, wife of George Hay of Mountblairy, died this year. She was previously married to Sir William Gordon of Park. See p. 26.

<sup>2</sup> His brother, Alexander.

almost the finishing touch for Andrew was when she writes: "You see how young and old are falling, and my health much shattered, not capable of doing any business, being mosdy confin'd to my room, except to give advice now and then. My weakness increases and if you shou'd hear of my death, considering my age, it need not surprise you." This probably drove Andrew almost frantic, though his doting Mother hardly realised how much her tale of woe distressed him. Possibly she may have thought that she had erred on the gloomy side for she continues: "I beg of you make your self as easie as possible in your present situation," and suggests that an application on her son's behalf should be addressed to Major John Grant, nephew of Patrick Grant of Dunlugas, Banffshire. Major Grant was in the service of the King of Prussia. She quaintly adds: "This is intirely a maggot of my own," and concludes, "God knows my desire to see you is great, tho' I can't bring it about." On 20th August Andrew writes: "Since the receipt of yours, I've often thought of goeing to Holland and takeing the opportunity of the first ship for your coast, where I might land privately, and was I to be with you but a few days, it would sufficiently pay any risque I possible can run. I'm persuaded the



Government would not persecute me for such a step, if they knew that it was allennarly<sup>1</sup> the effects of affection and a desire to see you. Sure there's nothing on earth I wish so much, and could such a permission for my returning be obtained I'd certainly be gratefull all my life to those who would be so charitable and friendly as procure it for me." Andrew doesn't think much of his Mother's idea of applying to Major John Grant, not believing that he stands sufficiently high in the estimation of Frederick the Great to make such an application successful.

The proposal in Andrew's latest letter seems to have astonished his Mother, who writes to him on 23rd October: "I'm surprised at your having so much as a thought of coming to this country, except you were in a different situation from what you are in. God forbid that at any time you should adventure to make such a step, for I'm sure you cou'd not be a week in this country, till it wou'd reach London, and at this time it wou'd be interpret your coming in a way different from what you propose. Therefore you and I ought to lay aside anxiety and submit our wills to that of God for what he thinks is best." She ends her advice with: "Your desire of seeing me is no more than mine is to see you."

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<sup>1</sup> Only.

In writing on 10th November, Andrew refers to the recent death of Lady Erroll, who was Countess in her own right. As a Hay, Andrew was naturally interested in her. She was succeeded by her grand-nephew, James Boyd, son of the Lord Kilmarnock executed for his share in the Rising of 1745. Mary, Countess of Erroll, had married Alexander Falconer, who took the name and designation of Hay of Delgaty. Andrew complains that during the autumn he has had “many small touches of the gout in the feet and right hand, but none of them violent. Now begins the season that I dread a sever fitt, tho’ I’m hopeful that my regular way of life may prevent the severity of any fitt this winter. I dine on plain meat, drinks only half a bottle wine with water. For supper eats a crust of bread and drinks a glass of wine, and takes tea for brakesfast. This rule I follow by advice of Physitians, whereas formerly I only dined, never supped and seldom brakefasted.”

Andrew was delighted at this time to hear of a pardon likely to be granted to a fellow Jacobite—George, 10th and last Earl Marischal, who, born in 1693, was the eldest son of William, the 9th Earl, and Lady Mary Drummond, daughter of James, Earl of Perth. At the death of Queen Anne, he was in command of the 2nd Troop (Scots) Horse Guards, and was present at the unofficial Jacobite Council

which took place that morning when Bishop Atterbury offered to go out and proclaim King James III, if supported by *one* troop of Guards. Marischal's own feelings would have moved him to supply this escort, and his Colonel (Scott) urged him to proclaim the King at the head of the regiment, but the Duke of Ormonde, the acknowledged leader of the party, advised or ordered delay, and the young Earl Marischal submitted. Ten months later, Marischal had his commission taken from him by the Duke of Argyll, who distrusted his fellow Scots. Marischal returned to Scotland and joined the Jacobite party of which he became a prominent member. He commanded the cavalry on the right wing at the battle of Sheriffmuir. When the Old Chevalier departed from Montrose, Marischal was one of those invited to accompany him, but refused to leave the army while it was still in being; later he escaped to France, and was for a time at Avignon. He took part in the ill-starred expedition to Glenshiel in 1719, but did not accompany Prince Charles to Scotland in 1745, though the latter, in his brief heyday of glory, frequently said how much he regretted not having the Earl with him. "I would rather he were here than a thousand men." In 1759 the Earl Marischal was granted a pardon by George II and later he visited Scotland but found the climate of Aberdeenshire too rigorous, and returned

to Prussia where his friend, Frederick the Great, was most anxious to have him, even writing, “if I had ships I would make a descent on Scotland to steal off my cher my lord and bring him hither.” So Marischal returned to Potsdam and lived there until his death in 1778. When he was in Edinburgh in the winter of 1763, David Hume wrote to a correspondent, “be sure to go and visit him. Do not imagine you would *ever* have the chance of seeing his equal.”

Andrew had written on 29th December 1758: “I’m glade to hear of Lord Mareshall’s good fortune, it’s told that he’s like to obtain his pardon by the intercession of his Prussian Majesty. If so, I would fain hope that little people like me would, if any interest was used for us, have no great difficulty of obtaining a permission to breeth our native air.” Though the pardon was not actually granted till 1759 it is clear from the above that it was talked of openly.

Early in 1759 Andrew complains that his Mother’s letters to him have already been read once or twice on their way and it is to be hoped that the curious French were edified by their contents. This was during the Seven Years’ War, so that letters were probably searched for political information.

Two months later he writes to his Mother, “I’m happy to think that you’ve got the better of your cold. That’s ane annuall tribute you never miss paying to

the winter season.” He shows his devotion to her when he adds: “Could I find an opportunity I would send you a cloak lined with fur to defend you against the cold. All the ladys here use them in the Winter.”

On 7th May 1759 a new distress fell on Andrew as his home—which he had so longed to see again—was destroyed by fire. The *Scots Magazine* thus records the event. “On the 7th May early in the morning the house of Rannes in the Enzie, Banffshire, was burnt to the ground by accidental fire. The family, it is stated, all escaped with their lives, but nothing was saved but the family papers, which, for security, had been deposited in a vault, built for that purpose. Every family mansion should have a similar place of security.” What this vault was is not known—probably merely a stone chamber which was more or less fireproof. But the *Scots Magazine* is in error in stating that nothing was saved. How the fire occurred is not known, but it was a mercy that all the family escaped, though it must have been a great shock to Mrs. Hay to have been hurried out of a burning dwelling in the early hours of a May morning, when it is often very cold in the north of Scotland. It is a wonder the old lady survived it, in view of the weak state of her health, which she often mentions, but she must have been of tough stock.

Andrew wrote to her, “My dear Mother, Yours

brought me the melancholly accounts of your late misfortune and disaster. I'm and always shall be thankful to God for your and family's preservation, other losses time may make up, so I endeavour to think of them as little as possible. I hope you may doe the same. What gives me pain att present is the fear I have for the consequences the Alarm and surprise may have on your health: it's unkind in Sandie and Jeanie, who I'm satisfied is never over hurried with business, not to've sooner advised me how you are. I shall be glade to know what resolution you've taken. If to repair the house, I approve. It's certain that I would have altered entirely the situation, and placed the house somewhere else farther from the precipice,<sup>1</sup> which I imagine might be done att as little expence as building on the foundation of the old, since the only thing you save is the walls, which is by farr the most trifeling expence in building. Besides they must be greatly damaged by being twice burnt.<sup>2</sup> Moreover greater conveniencys might be had for the same expence. You know that the rooms of the old house were not on a levell, that the dining room tho' a good one was not proportionable, being vastly too low. The

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<sup>1</sup> The so-called precipice is really a slight slope down to a burn.

<sup>2</sup> There is no record of when the earlier burning of Rannes occurred.

roof of the rooms above might be lowered, so as to raise that of the dinning room and yours, and many other alterations that, att this distance, it's impossible for me to point out. When the expence is to be made, I'm satisfied you choose to lay it out in a way to have the most conveniency for your money. This I mean for those that succeeds me more than on my own account. It's possible that I may never have the pleasure of passing one night under your roof and, tho' I'm not very old,<sup>1</sup> the greatest part probably of my life is past, and those who'll succeed won't be pleased with what would satisfie you or me." Andrew had suggested that the worry of rebuilding Rannes would be too much for his Mother and had first of all urged her to give up all such ideas and go and live in a neighbouring town. But he agrees with his Mother that "its certainly greatly more for the interest of your family that you reside att Rannes on the head of your estate than elsewhere, so dont doe me the injustice to think that any interested view moved me to make the proposall." Now she has started on the rebuilding he is equally enthusiastic and is full of good ideas for the new house. He suggests that the walls should be raised "so as to've had the garret windows in the walls and not in the roof". Prudently he observes that

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<sup>1</sup> Forty-nine.

“storm windows are seldom water tight”. His Mother has asked his opinion on several points to which he replies, “please your own taste and it shall be mine.” He regrets the loss in the fire of the clothes belonging to Sandie and Jeanie, which, as he writes, “tho’ not great in appearance, is considerable.” His own favourite writing desk was consumed in the flames, but he explains that the contents were principally filed accounts. The family’s losses in general must have been considerable and it is extraordinary that Andrew’s previous letters to his Mother should have escaped the conflagration. Possibly the devoted old lady carried them about with her. Whilst the house was being rebuilt, she lived in a cottage nearby so that she could—in her able way—superintend the operations. She was not one who left things to chance and was fully aware how very much builders and decorators needed supervision. The thought that she was living in discomfort—especially in winter—distressed Andrew, it “is terrible to me, the more so that I find you must live in the low house. Sleeping in moist weather on the ground floor I dread may hurt you. Since you’ve taken the trouble to repair the house, I’m vexed that you can’t possess your own room during the inclemency of the weather, but it seems there’s no help.” The rebuilding was a slow process and the house was not completed till May



1761—about two years from the date of the fire. In 1759 Scotland was in a flourishing condition and money was plentiful. Andrew writes that in France “money brings just now att least 6 per cent and a great deal brings twixt 6 and 7”.

In August 1759 he says that he has again been “afflicted with slight fitts of the gout, but what most distressed me was ane almost insurmountable lowness of spirits, so much that seeing any friend or acquaintance gave me sensible pain”. In order to counter this he was advised to ride a great deal and he has almost decided to buy a horse, but “the expense is terrible. He’ll cost me per day att least 15 pence English, besides the first buying.” He hopes his Mother wont be angry at this additional outlay, but gives as an excuse that “the sedentary life I lead here differs so much from the manner I lived in Scotland, it’s a surprise that I keep my health so well Andrew’s spirits did not rise, possibly the gout was somewhat of a deterrent. So that malady must excuse another wail. “What would I give for liberty to return home, the pleasure of once more embracing you, would make me forget all past sufferings.”

In March 1760 he writes that he has just had a packet from his lawyer—James Hay of Cocklaw—containing estate matters and accounts and that the postage from London cost him half a guinea! This

must have galled him exceedingly.

His Uncle, James Hay of Cocklaw, married Agnes, daughter of John Mudie of Arbikie, and had two sons and one daughter. The eldest son, Charles, born in 1747, became an Advocate, and in 1806 was raised to the bench as Lord Newton, taking his judicial title from his property of Newton, near Stracathro. He also owned the small estate of Faichfield, Aberdeenshire, but did not care for country life. Lord Newton was known for his distinguished talents and inflexible integrity. He was named as one of the “profoundest drinkers of his day”, and it is asserted that he could consume three “lang-craigs” (*i.e.* long-necked bottles of claret) with scarcely the appearance of being affected by it. Lord Cockburn described him as being “famous for law, paunch, whist, claret and worth”. In private life Lord Newton was known as the “Mighty Goth”. He loved cards, and it was said “cards were his profession, and the law only his amusement”. He appeared to go to sleep on the bench. On one occasion an experienced advocate when pleading before him suddenly stopped and said it was unnecessary to continue as his lordship was fast asleep. Lord Newton looked up and said, “Ay, Ay, you will have proof of that by and by.” He reviewed the case in a masterly manner and finally returned a verdict against the impertinent advocate. Lord Newton died at Powrie

House near Dundee in 1811. There is an excellent portrait of him by Raeburn in the National Gallery of Scotland.

Andrew hopes that sufficient of the new house of Rannes will be finished so that his Mother can use it during the approaching summer, which, however, was not to be the case. To add to his troubles Andrew has been “much afflicted with a dry pain and itching in my eyes so much that ane oculist forbid my reading or writing”. This was a great deprivation to him as it banned some of his simple pleasures. He had taken a short trip to Burgundy (he doesn’t say where) to spend Christmas, but has once more returned to Paris. By December he was at Sens and writes to express his sympathy on the death of his sister “Peggie”, wife of Alexander Russell, late of Moncoffer, Banffshire, who had recently bought the estate of Aden in Aberdeenshire. “I most heartily regrate her. I pray God we all may be enabled to bear so heavy a stroke with resolution and a proper resignation to the will of Heaven.” He admits that he is of a pessimistic turn of mind, but it is hardly to be wondered at after all he had experienced. “I’m unhappy in my temper in figuring always the very worst consequences that things can bear, the best and most favourable side seldome casts up.”

George II had died on 25th October, 1760, but

Andrew does not even refer to that. One would have thought that such an event would have implanted new hopes in his mind but—true Jacobite that he was—he probably merely regarded the late King as Elector of Hanover. Andrew at last begins to consider *the possibility* of returning home—with or without leave—but he only permits himself the pleasure of thinking it over. However, he quotes a letter from James Hay on the subject, which contains not only the latter's own opinion but the considered advice of other people whom he had consulted. Andrew does not quite agree with the opinions given and raises many difficulties, particularly that as to his "size".

James Hay had written on 1st December that it was expected that the new King would close the last session of Parliament with an Indemnity; a tempting idea to all Jacobites. At the same time James Hay said that there might be exceptions made of those who were abroad at the time. He gives his opinion and that of some of his friends that Andrew should go to Holland and stay there till an opportunity offered of his leaving for Scotland. Once in the north he should remain quiet till the new Act of Indemnity were passed. Some thought that this advice should be followed, provided it were done with caution and prudence "so as to make no noise". Others believed that it would be best to go direct to London, which

would be a much shorter passage, where returning Jacobites could obtain the best legal advice. That method of return, however, presented several difficulties. No passengers were allowed to come by “the Pacquet boat without a pass and to come by any of the Thames or smugleing vessels would be very uncomfortable, as they’re generally crowded with pick-pockets, smugglers and bad company”. Andrew received these opinions with interest, caution and hope—that hope which Aeschylus says is “the food of exiles”, but he was not much taken with them. He foresaw many dangers which might arise from an attempt to return to his native country. He felt he couldn’t land in the North of Scotland without at once being recognised. If only he had not been built on such gigantic lines. “Was my size more moderate, London would be the most eligible, but that puts a bar.” Self-consciously he thought everyone there would know him! Had England been at peace there would have been less risk in trying to cross the Channel. But the Seven Years War was still raging and every ship and port would be searched for undesirables—even innocent Jacobites amongst them. Then his low spirits once more seize him. “If unfortunately I should be taken up and thrown in Prison, I’m perswaded that a short confinement might be fatal, so has taken the resolution not to leave this

private abode in a province town where I live without offence;" until he has greater assurances on the point. Andrew was not to be drawn by any specious chimeras, he was too wily a bird to put his head into the noose which he had skilfully avoided for so many years, he wanted substantial guarantees of safety and he had no mind to resume his old role of a hunted rebel. "I can't, notwithstanding my great desire to be home, bring myself to think favourably of sculking again, a trade I was so wearied of. However, I'm not so wedded to my own opinion as to put it in opposition to that of my friends." But he would do nothing, until he received promises of encouragement from his native land.

He again returned to Paris in March 1761, this being the last visit he was ever to pay to the French capital. He writes from there on the 7th and quotes two more letters of advice from James Hay, written in the most guarded language in which the British Government of the day is alluded to as Andrew's "creditors". He, in accordance with James Hay's advice, had determined to change his abode and proposes to leave France in about a fortnight for Holland. He is undoubtedly making some sort of preparations for returning home but they are all very vague. He explains that though he hasn't any business of importance to transact yet he must say farewell and

“thank those that have shown me politesse and friendship”; proving that he had far more friends in Paris than he allowed, as he allotted about fourteen days for the goodbyes.

By the beginning of April he was once more in Holland, which he calls the “Cursed Low Countries”, where he had first landed after his escape from Scotland; he hates the climate and finds living expensive, neither does he like the Dutchmen and his comments on them recall the famous despatch sent in cypher by George Canning to Sir Charles Bagot at the Hague, in January 1826, which, when decoded, ran:

*In matters of Commerce the fault of the Dutch  
Is offering too little and asking too much.  
The French are with equal advantage content  
So we clap on Dutch bottoms just 20 per cent.*

Andrew next writes on 4th April, 1761, from “Flushing in Zeeland”, to his Mother that “in consequence of your orders, that to me shall always be sacred”, he had left Paris on the 24th March and arrived in Holland on the 31st—which gives an idea of the rate at which he travelled. He lets fly about Holland and the Dutch. “I’m now again in the most disagreeable and dearest country in Europe for an idle man. There’s no possibility here even to make acquaintances, much less to form friendships or connections; interest is the sole motive that regulates

the actions of the inhabitants of this Republic and they omitt no possible means to come att it. I could have great pleasure and satsfaction in the capital of France for half the money it costs here in a trifeling village, and that without the least degree of contentment.”<sup>1</sup> Thinking he has perhaps said too much—it is to be hoped that his letters home were not opened by the Dutch authorities—he hastily continues. “Don’t from this imagine that I repine. Your reasons for my coming here are so just, that I acquiesse with pleasure and will always be happy in complying with what’s agreeable to you. To get home is my present ruling passion. I foresee enumerable difficultys, but be assured nothing that depends on me shall be omitted to bring it about.” He had been anxiously expecting another Act of Grace with the close of the late Parliament but in this he was again disappointed. He suggests that his Mother should apply for help to Lord Strichen. Alexander Fraser of Strichen, Aberdeenshire, a Lord of Session, had married in 1731, Anne, daughter of Archibald, 1st

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<sup>1</sup> It is interesting to compare Mrs. Calderwood’s opinion of the Dutch with that of Andrew. She, writing in 1756, about shopping in Holland, says: “they could speak no English, we no Dutch, but you must take this alongst with you, that in money matters the Dutch understands any language.”



Duke of Argyll and widow of James, 2nd Earl of Bute, and Andrew hoped that through this channel he might draw the beneficial attention of John, 5th Earl of Bute, then all powerful as Secretary of State. The Exile thinks that by this means he might procure a permission to return home. "My manner of life since on this side the water, has been, I hope, so inexceptionable and inoffensive that no man needs be ashamed to interest himself for me. This may appear vain, but am satisfied on enquiry it will be found true. I once, this winter, proposed myself the happiness of passing the summer with you and would have no great difficulty to come over and throw myself on the mercy of the Government, was it not that some malicious creature might give unfavourable and unjust representations that might occasion my being taken up." This shows how nervous he still was—15 years after the final defeat of the Jacobite cause—and that it was necessary for him to be as cautious as possible, for there were still many of those contemptible people styled "informers" who were ever ready to profit by the rashness or lack of caution of homing Jacobites. He tells his Mother that he hopes to leave Flushing the following week and make for Rotterdam where he expects to hear from her. His companions to Flushing were John Macdonald of Largie and his family, already mentioned, who had

been in France for the past eight years but had now left for London. With envy he says: "They were happy in fine weather and ran no risk, if not taken by a French privateer."

In May, Andrew sends his Mother a further opinion from his uncle, James Hay. "He still flatters me with hopes of an indemnity, but as that cannot happen before the meeting of Parliament, he insinuates that it's believed if a particular application was; made it might meet with success." Andrew had replied to James Hay that he had no objection to such a measure; that he was prepared to benefit either by an Indemnity or by a particular pardon—it was quite the same to him provided he could only get home; that if there really were any prospect of an Indemnity he would prefer to wait a few months for that, than incur the expense of a particular pardon. With all his anxiety to return Andrew, a true son of the North, was not prepared to waste his money by being in a hurry when a short delay might bring about the thing desired without any cost whatever. He arrived on the 7th April in Rotterdam, where he met several of his countrymen and he then decides to remain in that town until he sees what will happen in the next Parliament. At any rate he won't stir from there until he has had his Mother's approval. He suggests that she might meanwhile apply to Lord Deskford, son of

the 5th Earl of Findlater. Horace Walpole wrote of him to General Conway, “don’t you like him? He is a mighty sensible man—there are few young people have so good understanding. He is mighty grave and so are you, but you both can be pleased when you have a mind. Indeed one can make *you* pleasant, but his solemn *Scotchery* is not a little formidable.” Andrew volunteers to buy any thing in Holland his Mother may want and in her next letter, from Rannes on 30th May, Mrs. Hay takes the opportunity of asking him to purchase various articles for her. She tells him that the new house is at last finished so far as regards the carpenters’ and masons’ work, and with Scottish pride assures him that all the expense has been paid. But her great need now is furniture to take the place of that which was destroyed in the fire, particularly chairs for the Dining room. Also she wants two or three dozen “naperie” which she believes Andrew could buy cheaper in Holland than she could make them—or buy them in Scotland. As an excuse for this extravagance she adds, rather depressingly, “They may happen to come in time to cover the tables when I die, and tho’ you buy two dozen of one patron<sup>1</sup> with table cloathes, these will be no loss. She says that she has drunk “no malt liquor

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<sup>1</sup> Pattern.

for some time, and both wine and spirits are out of measure scarce and dear. If you thought you could risk a hogshead of claret, with a terce of good white wine, it wou'd save some money if it came safe"—that is to say if it were carefully smuggled into Scotland. She continues, "I don't mean French white wine, but white wine of any kind you think wou'd keep best." She mentions a curious fact showing a strange lack then of an almost necessary commodity in Scotland; "If you can get any good corks I wish you would send me some. They are an article daily wanted and not to be had good in this country and at an extravagant price." The Spa water had safely reached her and had apparently proved beneficial as she asks that some dozens more of it might be sent to her! She adds. "I paid eleven shillings for the last basket, as being enterable goods, owing to no body taking concern about it after it came to Portsoy." It would seem that on this occasion there was no successful smuggling. Once more she thinks it would be useful if Andrew sent an application for help to their relative, the Marquess of Tweeddale, to whom the Mother had written some years earlier without success.<sup>1</sup> Andrew asserted that his Mother did not write often enough to him, in spite of her weaknesses and failing

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<sup>1</sup> See page 74.

eyesight. She answers—"I wou'd write oftener but that it's putting you to the charge of postage," showing that Andrew had to pay for all the letters he received from Scotland, an item which would infuriate us moderns in view of the spate of circulars and other trash which we daily receive.

On 4th December, Andrew from Antwerp thanks his Mother for her latest letter and rejoices that she was able to write it herself but implores her to use her "clerks"—his Brother, Sister and Niece—and thus save her precious eyes; he also announces that he has done her commissions regarding the "naperie". He is delighted to think that his Mother has paid off all debts. "Where you find fonds surprises me. To reflect on the vigour and activity with which you engaged to repair your house, and the spiritt you've shewn in carrying it on astonishes me, but above all your finding money to doe all that, att same time to support me, is beyond my comprehension." His Mother must have been a notable manageress. At last she is living in her rebuilt home—now enlarged—which delights Andrew, who hopes she is thoroughly enjoying the fruits of her labour. He has been consulted as to whether the dining-room should be painted or papered; he begs her to use her own discretion and he will be pleased. "Make your house closs and warm in the manner most agreeable to

yourself.” With regard to chairs, about which she had recently written to him, he advises her to buy those he describes as “fashionable”. It is to be hoped she bought such things, as she was prepared to do anything to gratify her beloved son and her one thought was to have a comfortable home for the wanderer when at length he should return. So he urges her to get strong chairs—possibly considering his own inordinate size—even if it is impossible to get good furniture cheap. He trusts his Mother in everything as “you love what’s decent”. Another article that was required for the new house of Rannes was a clock. It appears that one had been saved from the fire, for he goes on to say, “You’re much in the right to change your clock for a plain one,” and adds with unconscious humour, “the most materriall part of a clock is her goodness.” He condoles with his Mother on having had the children of Alexander Russell of Moncoffer—his nephews and nieces—to stay with her in the new home during which time they had inconveniently fallen ill of small-pox. Fortunately they recovered, but Andrew is anxious on his Mother’s account fearing the effect of this extra worry upon her. In Antwerp he has been joined by his old friend, Sir James Steuart and family, and is happy to be out of “that cursed country Holland”. He is also much pleased to hear that their “great neighbours”,

Lord and Lady Findlater, have at last called on his Mother, that they approve of his actions and hopes some good may come from that visit.

On 11th January 1762, Helen Fraser writes to her son still at Antwerp. She thanks him for buying some table linen. "I hope they are not very fine nor dear, we have use for nothing but what's decent without extravagance." She regrets that she can't offer him any comforting assurances as to the intentions of the Government with regard to exiled Jacobites. "The accounts we still have gives encouragement the one day and contradicted the next. I wish you and I may be patient under our trialls and, as you observe, not being headstrong and following advice is a satisfaction whatever may happen." This was cold comfort to Andrew but undoubtedly he was doing the wisest thing under the circumstances. It is rather touching to notice that again Helen Fraser wished to have Andrew's considered opinion regarding the decoration of the new house and when she applies to him he answers that she knows best and hopes she will please herself. She firmly replies: "You are in the wrong, that you do not advise paper or painting as you think best for the Dinning Room and other rooms, for all I propose as to my taste is to please you, as by the course of nature my time cannot be long and it may please God that you may yet live here. Therefor

send me your advice without compliment or reserve and I shall do the best I can." She explains that the house has been enlarged, therefore new items of expense will be incurred. Her son Alexander's health has not been satisfactory lately, he was then undoubtedly consumptive. "He now bloods every other day a good deal at the nose, and I cannot perswad him to open a vein, which he has been advised to by people of skill."

The next letter Andrew received, dated at Rannes on 12th February 1762, is from his sister Jean, now taking up the correspondence instead of her Mother, whose eyes were failing. The possibility of his return begins to be mooted more seriously, though Jean writes, "indeed it is no wonder tho' your patience is beginning to wear. We are still ammused with the accounts of an Indemnity, which I see most people believes will come out, tho' uncertain of the time." The Jacobites had expected an Act for this purpose after the accession in 1760 of George III, or after his wedding to Charlotte Sophia of Mecklenburg-Strelitz on 8th September, 1761. Their coronation took place on the 22nd of that month—at which, according to the Earl Marischal, Prince Charles Stuart was present, incognito. Again there was disappointment amongst the Legitimists for nothing came of the rumour. Jean tells Andrew that Moir of Stoneywood, "is just now at



London and meets with no trouble. This certainly must be through the interest of his friends; and if so it's very hard if you have none that will appear for you." James Moir, 4th Laird of Stoneywood, Aberdeenshire, was the son of James Moir, 3rd of Stoneywood, who was "out" in 1715. The younger James, born in 1710, came of a stock always firmly devoted to the Stuarts and was a prominent Jacobite leader of 1745. He early joined Prince Charles, for whom he raised a battalion of infantry known as "Stoneywood's regiment". Though not present at Prestonpans he accompanied the Prince in the march into England, of which he was strongly in favour, and, contrary to the majority of the Prince's officers, *held that it should have been continued to London*. He stood high in the estimation of Prince Charles—possibly on account of this opinion. He was present at Culloden, escaped after the rout and attended the subsequent muster at Ruthven. When orders came that everyone was to seek his own safety, James Moir made his way back to Stoneywood, reaching there at midnight, and tapped on the window of the room in which his wife was sleeping. She opened the window and found him standing outside, got him quietly into the room, not daring to speak, and put him to bed. Next day she kept him concealed, and it is said that he remained in the neighbourhood of Stoneywood for

some time. He narrowly escaped detection on several occasions and, deciding to leave the district, he made for East Aberdeenshire where he was hidden in the house of John Clark, a cobbler. Here Moir assumed the name of James Jamieson and learned the trade of cobbling, at which employment he became so proficient as to earn the praise of John Clark. While Moir was "lurking" in Buchan, a party of dragoons went to search the house of Stoneywood for him. They stayed there for a few days, and just as they were about to withdraw, unsuccessful, the commanding officer dropped behind and said in a low voice to Mrs. Moir: "In case of another visit from us you had better remove the portrait of the *cobbler* from the dining room." Moir lay concealed in Buchan for many months. After some hair-breadth escapes he embarked with old John Gordon of Glenbucket and some other Jacobites on 5th November, 1746 on a small sloop from the east coast of Scotland to Norway. Thence he proceeded to Sweden and entered into trade at Gottenburg, where he was subsequently joined by his wife. Prince Charles recommended him to the King of Sweden, and Moir went to Stockholm, where he lived many years and became a naturalised Swedish subject, which, freeing him from certain taxes on foreigners, assisted him in his business. He also received a patent of nobility. Meanwhile he had

been excepted from pardon in the Act of Indemnity and at Edinburgh in October 1748 a True Bill of High Treason was found against him in his absence. The estate of Stoneywood was not confiscated, James Moir the elder being still alive. In spite of his name appearing in the list of exceptions to the Indemnity, James Moir, junior returned, *after sixteen years' absence* from Scotland, having, it is said, received the royal permission to do so. This seems doubtful, and no official record of it has been found, but he certainly was in London in February 1762 as stated by Jean Hay. In March he was in Edinburgh and by April had reached Aberdeen. Later accounts, given by James Hay of his return, state that "the reason is still dark, but it's generally said he got some recommendations to the King of Prussia and that he owes his security to him." From all this it would appear probable that Moir returned home without any legal sanction whatever. This should have been a great encouragement to Andrew to take the plunge, but he was not so bold or so indifferent to possible danger as James Moir.

To continue Jean Hay's communication, she gives the rumour that the Court is prepared to receive petitions, but is doubtful who would be the proper person to present one on her brother's behalf. She proceeds sententiously: "Many professes regard and

friendship for you but alas a true friend is really difficult to be found in this self-interested age we live in." Referring to James Moir's dashing escapade, she says that everybody tells her that there would be no danger in Andrew's also coming over to Scotland, adding, "I think it's a great pity to lose time." She then—most perplexingly for her poor brother—qualifies her statement by saying, "but you have still acted the prudent part and I think the wise is to be certain."

Another Jacobite, John Gordon of Avochie, Aberdeenshire, had also recently arrived in Scotland and Jean Hay mentions his return to Andrew as a further incentive to bestir himself. At the beginning of the Rising, John Gordon, nephew to the great Glenbucket, had received a personal letter from Prince Charles asking for his support as soon as possible, which young Gordon, who was described as "a very resolute active lad," proceeded to answer by joining Lord Lewis Gordon with about 300 men. He was useful to the Jacobite cause and one local Whig laird called him "Lord Lewis Gordon's Prime Minister of Oppression." He didn't go into England with Prince Charles' army but remained in the north raising men and holding Aberdeenshire and Banffshire for the Stuart cause. He was present at Culloden and afterwards two petitions for pardon were presented

on his behalf. Both, however, were ignored and he ultimately escaped abroad; in 1748 his name occurs in a list in the French Foreign Office of those of Prince Charles' officers who were recommended for pensions from the French Government. Like other Jacobites, John Gordon returned to Scotland without permission—in spite of having been excepted from the Act of Indemnity—and having paid a fine was allowed to return peaceably to Avochie where he lived for some years and died in 1778.

Jean gives accounts of various other friends of Andrew in the north of Scotland. She particularly mentions Sir Ludovick Grant “who has been at Cullen this severall weeks past with three of his daughters. Fortune is *not* said to favour him, neither in interest nor character, but his son is spoke of as a very promising young man.” Sir Ludovick Grant of Grant, the 2nd Baronet, was M.P. for Morayshire from 1741 for twenty years. He married twice and by his second wife, Lady Margaret Ogilvie, daughter of James, 5th Earl of Seafield, had one son, Sir James Grant, who married Jane, daughter of Alexander Duff of Hatton. Sir James was M.P. for Morayshire and for Banffshire. When he was standing for the latter constituency Lord Findlater offered him the house and farm of Rannes, recently purchased from the Hay family, “where he might live and be acquainted with

the gentlemen of the County,” objections having been raised by some that Grant was not, except in the right of his wife, a land-holder in Banffshire. Sir James’ eldest son, Lewis, afterwards 5th Lord Seafield, when reading law in London at the age of twenty-one, wrote to his Mother: “I dined the other day with a ministerial party at Mr. Dundas’s, and had the superlative honour of being helped to a cheese-cake by the Right Honorable William Pitt.”

Jean concludes her letter by mentioning several more necessities for the new Rannes home. “If you can get kitchen furniture any ways reasonable such as copper Coffee Pots, saucepans, goblets, etc. it’s what we greatly want and what, I’m told, is in the main cheaper than pott mettle.”

From December 1761 until August 1762 Andrew remained at Antwerp, sometimes buoyed up with the hopes of being able to return home, at others plunged into deep depression as, partly from caution and partly from the advice of others, he cannot make up his mind to face the possible dangers of an unsanctioned return. In February 1762 he writes to his Mother that he is looking forward to “a comfortable and agreeable meeting tho’ to tell the truth I see no reason to look for it,” adding with a glimmer of hope, “but these things often happen when least expected.” He says that he has requested

his cousin James Hay, to apply to everybody who might help him. "I've very little to hope of any speedy change in my unhappy circumstances," but he congratulates himself, saying, "I've left no stone unturned that suggested to me." His Mother had written to him to condole with Sir James Steuart on the death of his heir. Andrew hastens to assure her that this is a mistake—James Steuart, the son, being alive and well—and then on his way to join General Conway's Regiment of Dragoons. General Henry Seymour Conway opposed the continuance of the American War and on 22nd February 1782 brought in a motion in Parliament "that the war on the Continent of North America might no longer be pursued for the impracticable purpose of reducing the inhabitants of that country to obedience," on which occasion the Government majority was only one. Lord North resigned shortly afterwards.

As no Indemnity was granted after the coronation of George III, Sir James and Lady Steuart had taken the lease of a house in Rotterdam for three years—which, as Andrew writes, "is no great sign of hopes that any thing agreeable will happen soon." He says that living in Belgium is dear but not so greatly so as in that "cursed Holland, at least to one who's free of tavern expence." He gives a strange end to his letter to his Mother. "I shall finish with praying that God may

grant us a happy and speedy meeting and that I may find you equall to my wishes.”

In March Helen Fraser writes that he should not worry about the expenses she has been compelled to incur in rebuilding and refurnishing Rannes—that he must not lose a night’s rest on that account and that he “ought to be easie.” She is bothered as to the right person to select, at Edinburgh, the chairs for the dining room, “for I scarce think Cocklaw a judge of these things, for the chaise he bought for me is reckon’d no pennyworth by any body. He sent her with old harness which ought to have been the most secure part of her.” For Andrew’s further information she tells him that she has got “as many blankets made as will cover all the beds put up and will soon have tycking that will answer to feather beds. I’m determin’d to be in no man’s debt for furniture, but to buy as I’m able.” She gives the latest information available—that there will not be an Indemnity, but that there will be no further prosecutions—even if anyone should be so ill-natured as to give what she describes as “officious informations.” Andrew had again worried about expenses, to which the wise old lady replied, “As to my living, you’re sure we can’t live by the wind.” At last she tells him—to his great delight—that she had had a letter from “our great neighbours” with the tantalising but contradictory



rumour that after all there will soon be an Indemnity and that her son's name is to be included in it. Alas for human hopes, such a thing never came. Helen Fraser goes further and relating gossip says that the Indemnity was already passed, with five people excepted. The five exceptions to the anticipated Act of Indemnity were to be: Lords Airlie, Nairn, Elcho and Strathallan and Cluny.

(1) David, styling himself Earl of Airlie, but more usually (before 1783) called (by the courtesy title of) Lord Ogilvy. He joined Prince Charles at Edinburgh in October 1745, escaped after Culloden, went first to Norway and then to France, where he commanded a Regiment of Foot, called "Ogilvy's Regiment." A free pardon under the Great Seal having been granted to him in 1778, he returned to Scotland. He was twice married, his first wife, Margaret, daughter of Sir James Johnstone of Westerhill, was imprisoned in Edinburgh Castle in 1746. Lord Airlie died at Cortachy in 1803 in his 79th year.

(2) John, 3rd Lord Nairne, was "out" with his father in the Rising of 1715, and being taken prisoner at Preston was forfeited, but obtained a partial reversal of the Attainder. He took part in the '45, joined Prince Charles at Blair and marched into England. After Culloden he escaped to the Continent and was included in the Act of Attainder of 1746. He

married in 1712, Lady Catherine Murray, 3rd daughter of Charles, 1st Earl of Dunmore. Lord Nairne died in France in 1770.

(3) David, Lord Elcho, eldest son of James, 5th Earl of Wemyss, commanded Prince Charles' Lifeguards, and wrote a narrative of the Rising. He was attainted and excluded from the title and estates. He died, unmarried, at Paris in 1787 aged 66.

(4) James Drummond, 5th Viscount of Strathallan, son of William, 4th Viscount (who fought at Sheriffmuir and was killed at Culloden) and nephew of Andrew Drummond, who founded the well-known Bank of that name at Charing Cross. The 5th Viscount married about 1752, Euphemia, daughter of Peter Gordon of Abergeldie and died at Sens in 1765.

(5) Ewen Macpherson of Cluny, in 1745 had been appointed to a company in Lord Loudoun's Regiment, but after the success of Prince Charles at Prestonpans he joined the Jacobite cause, and his house was burnt by Cumberland's soldiers. He concealed the Prince for a time in his famous Cage on Ben Alder and "lurked" in Scotland for nearly ten years. Eventually he escaped to France and died at Dunkirk in 1764. He married Janet Fraser, a daughter of Lord Lovat.

Andrew's Mother adds at the end of her letter "Berresdale has got a pardon and a Lieutenant's

Commission in the army.”

The “Berresdale” pardoned in this year was Archibald, son of Colin Macdonell of Barisdale. Both were active Jacobites of the ‘45, in fact the actions and behaviour of the whole family at this period were so extraordinary that they must be related. Archibald Macdonell of Barisdale, elder, known as “Old Barisdale”, was the grandfather of the Archibald just mentioned. He paid his respects to Prince Charles at Glenfinnan, but took no personal part in the Rising. In May 1746, his house was burnt down by Cumberland’s orders and he was himself taken prisoner and placed in a warship. He was released soon afterwards and died in 1752.

His son, “Collin Roy”, red Colin Macdonell, younger of Barisdale, commanded Glengarry’s Regiment in 1745. He joined the Prince at Aberchalder and served throughout the campaign, but missed Culloden as he was then in Ross-shire. He was captured in June 1746 with his son Archibald, and was taken to Fort Augustus, but *was allowed 10 days protection on condition of giving certain information to the Government*. It was also said that he had promised to apprehend the Prince and hand him over to the Hanoverian authorities. For this he was seized by the Jacobites, who succeeded in sending him to France and keeping him a prisoner at St. Malo, and later at

Saumur, for over two years. Family tradition asserts that he deliberately misled the authorities and that his capture, by his own side, was due to an old quarrel with the Camerons over a cattle raid. Meanwhile the Government excluded him from the Act of Indemnity of 1747. When he returned home in February 1749 he was again arrested by the Government and confined in Edinburgh Castle without trial until his death in June 1750.

Archibald Macdonell, youngest of Barisdale, son of the above Colin, joined the Prince at the age of 20 and was a Major under his father in Glengarry's Regiment. He was taken prisoner with his father, released and again captured—this time by the Jacobites under suspicion of treachery and was sent to France in the same ship as Prince Charles, being kept prisoner there for a year. He returned to Scotland and in 1749 was again arrested by the Government, but was subsequently released. Once more—on the 18th June 1753—was he arrested, tried and sentenced to death on 22nd March 1754 by the Lords Justiciary. He was, however, reprieved at the last moment, being kept as a prisoner until 29th March 1762, when he was finally released. He then took the oath of fealty to the Government and was given a commission in the "Queen's Own Royal Highlanders". He died at Barisdale in 1787.

Other Macdonells prominent in the '45 were Alexander—"Alastair ruadh"—young Glengarry, whom Andrew Lang identifies as "Pickle the Spy", and Donald Macdonell of Lochgarry who was in the same ship as Prince Charles when he escaped to France.

In connection with the above adventures of the two Macdonells of Barisdale, there is, amongst the Stuart Papers at Windsor Castle, a letter from Colonel Robert Warren to the Old Chevalier, dated Roscoff, 10th October 1746 in which the former writes: "I have the happiness to advise Your Majesty of my wished-for success in meeting his Royal Highness the Prince on the Continent of Scotland and bringing him safe back to France." Warren congratulates James "on this happy event" and adds that he thinks "this is the happiest day of my life to see our great Hero delivered so miraculously from his enemies". He concludes by saying, "I found means while I was at Loghnonua<sup>1</sup> (where I took the Prince aboard) to lay hold of Barastel who wanted to betray him and have brought him and his son here." Sir John Graeme writing to James from Clichy on 17th October says that Colonel Warren brought from Scotland, with the Prince, Lochiel, John Roy Stuart and some other fugitive Jacobites: "also one Macdonald of Barestal, against

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<sup>1</sup> Loch-nan-uamh.

whom there were proofs that his Intentions were treacherous and has recommended him to the care of the Intendant of Britany.”

## IV THE EXILE URGED TO RETURN

From Rannes on the 19th April 1762 Jean Hay writes to her brother in the most encouraging fashion, hoping that the family “may now with certainty look for the pleasure of seeing you soon in the country.” She again mentions the safe return of Moir of Stoneywood and some others, as an example to Andrew. “Every friend and well-wisher of yours thinks you cou’d run no risks or hazard by coming to the country. The worst, it’s said, that cou’d happen wou’d be your getting a noli-prosequi,<sup>1</sup> a thing I’m told is not difficult, nor a great charge. £50 ster. can purchase one and what’s that sum in comparison of freedom in one’s own country.<sup>2</sup> She proceeds to enumerate various articles which are still required for the new Rannes home. “We have no morning china and that sent over for afternoon not near full, as many of them were destroyed in coming over.”

Andrew had forwarded some which had met with disaster by the way and he is now politely asked to

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<sup>1</sup> An order from Court to stop all procedure—not a pardon but a tacit protection.

<sup>2</sup> It is curious to note that these things could be *bought*.

send a further supply. Jean also mentions that mirrors are required. "There was only preserved from the burning, the small table glass that stood in my Mother's room, by which misfortune all the rooms want mirrors, and as yet there's no such thing provided as fire irons of any kind, and"—(she assumes he has determined to return), "as you'll probably come home the way of London you'll then see what's fashionable and cheap and can provide yourself." It is delightful to think of fashionable fire irons. She gives further domestic details, her Mother's room "smocks prodigiously. Grates, it's thought, wou'd prevent this great inconveniency. But whether you think grates necessary or not—fenders is absolutely necessary—tonges, shiffles, etc." She says she has written before and now absolutely demands what she calls more "kitchen furniture." Further she mentions that she has seen—somewhere—"a large ovile vessell for boiling a whole ham, which is very convenient and necessary. But don't imagine my mentioning these things proceeds from any extravagance but my knowledge of their being much wanted." Jean had a subtle way with her and knew how to deal with her brother, a quality which she undoubtedly inherited from her clever Mother; so we can imagine the good natured giant pacing the streets of Antwerp and searching vainly for an "ovile vessell."



He was meticulously conscientious in all he did and would have been equally grieved to disappoint his sister or his Mother. Jean also informs her brother that George Hay of Mountblairy had recently got a son and heir. This child, Andrew Hay—called after the Jacobite—ultimately became Lieut.-Colonel of the 3rd Battalion of the 1st Royals at Corunna. He commanded a brigade at Walcheren 1809, and in the Peninsula. Promoted to be a Major-General in 1811 he was mortally wounded before Bayonne in 1814. A life-size monument of him is in St. Paul's Cathedral.<sup>1</sup>

Lord Erroll has been written to on Andrew's account and has given his opinion that "nothing will be done in a publick way att present," that is to say no special Act will be passed on behalf of the Jacobites—but "thinks there would be no great danger" in Andrew coming over to Britain. The latter does not agree with this and informs his Mother to that effect, adding that James Hay supports that view, and that from other quarters he is advised "not to goe over on uncertainty." So he tells his Mother that for the present he will remain where he is with his friends, Sir James and Lady Steuart.

With the diversity of opinions as to the advisability

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<sup>1</sup> A fine portrait of the General was sold in America in 1930 for 46,000 dollars.

or otherwise of his returning to Scotland poor Andrew was sorely perplexed. James Hay of Cocklaw, who had been staying with Helen Fraser at Rannes, tells him in July that his Mother had been advised to write to Lord Bute but had refrained from so doing as she didn't know him. "It is generally thought he has it at heart to do more in that way than he dares venture upon," and the writer alludes to the opinion universally held at that time in the south that too much favour was being shown to Scotsmen, owing to the influence of Lord Bute, then all-powerful. James Hay does not give any definite advice, but cautiously hints that were he in Andrew's shoes he would venture to return and that some of "your most cautious friends here (Edinburgh) think there is no danger in coming home by the way of London and say, was the case their own, they would do it, but will not take it upon them to advise others."

In September Jean Hay tells her brother that she is "sorry to see that you yet figure so many hazards from coming home, and I have indeed hear'd you condemn'd for not making the same effort others in your situation have done." She then slyly says something which must have hurt him severely—he stoutly refutes it in a subsequent letter—that he had got fond of living abroad. Jean hastily adds, to comfort him, that *she* doesn't believe this, but one

gathers the impression that after all there was really more in her mind than she expresses, and she was anxious to encourage—even to sting him—into making some real efforts to return to his native land. She goes on to point out that his presence is urgently needed at Rannes and that there should be no further delay as his Mother, though well, is getting older and feebler and that she daily expresses her anxiety to see her beloved Andrew before she dies. Jean tells him that he ought to grant his Mother that great satisfaction. “This I shou’d think wou’d induce you, if safety cou’d permit, to come home.” Then, perhaps feeling she may have said too much and that he may—just for the sake of his Mother—do something dangerous, she continues, “but I’m sure it wou’d distress her to think you had any risks to run by coming to the country.” Jean further informs Andrew that Lord Erroll—who had already been solicited on behalf of her brother—had recently married “one Miss Ker, an English lady, by whom it’s said he’ll make an immense fortune.” So possibly it was not a very opportune moment in which to make any application.

Andrew with his friends the Steuarts, had been for a short trip to Spa at the end of August and whilst there Sir James Steuart was arrested by the French authorities, his only real offence being that he had

rejoiced at the success of the British arms. Andrew in writing to his Mother from Rotterdam thus describes the event. "On the 27, att night, our house att Spa was surrounded with French troops and Sir James' person and papers seased and carried off the twenty eight into France. Lady Frances judged it proper to goe over to England in order if possible to find friends to represent the harshness of that measure in the Brittish Court. The pretence for seaseing him is an alleaged illicite correspondence with people in France with ane intention to inform the English Court."<sup>1</sup> Andrew, after Sir James' arrest, accompanied Lady Frances to "Helveot Sluice," saw her safely on the ship for England and then returned in solitude to Rotterdam. He describes rather humorously how Sir James Steuart, conscious of his own innocence, "went off with great resolution tho' affected with the gout in both feet, both knees and one hand and otherways much indisposed," so it is not surprising that Andrew

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<sup>1</sup> In *Henry Erskine, Lord Advocate for Scotland*, by Lt.-Col. Alexander Fergusson, it is related that, after Sir James Steuart had been arrested by the French at Spa, certain mysterious documents were found in his house. Long afterwards, when he had returned home, these objectionable documents were found to be certain *Scottish songs*, with which their cook, Maudie, had been wont to solace herself during her exile in a strange land!

should remark, "I'm affraid confinement under these circumstances, may hurt him." Andrew comments also on the return home of James Gordon of Cobairdy, whose wife was then on her way from Paris to Scotland. "I'm satisfyed they doe this att hazard, without any assurance of safety, and approve much of their resolution tho' I can't bring myself to follow their example." Possibly Andrew suffered a little too much from the proverbial caution of the Scot. He hints however that if peace is concluded he may venture over, but at present could not think of leaving until his friend, Sir James Steuart, is liberated.

His Mother replies on 24th September expressing her great regret at the arrest and agreeing that Andrew should remain abroad so long as his friend is detained in prison. "I aprove much of gratitude." In spite of having asked for Andrew's advice re the internal decoration of the walls at Rannes nothing has yet been done, "till we see that it please God you return and then you can cause do them as you think proper." She tells him that she has sufficient, "feather beds, blankets and sheets so as to keep us clean," therefore he need not buy any such articles. She also asks for "a hoggshead of good strong claret, in all probability upon sending your Brother a bill of loading in time, *he will get it safe ashoar*. If you could send me a quarter Cwt. of good prunes and a 1/4 Cwt.

of good currans, it will be all one charge in bringing them ashoar. You'll likewise advise me what spiceris costs." His Mother was undoubtedly a notable housekeeper as well as an adroit smuggler.

Andrew assures her that no reasonable risk will prevent him from trying to come home. Yet still he hesitates—though he does now hold out hopes of being able to make the venture very soon. "There's nothing earthly I desire so much as throwing myself att your feet to receive your maternall blessing, well persuaded that after so long a separation, a meeting wont be disagreeable to you. No risk that has your approbation will frighten me from goeing home. So be assured as soon as I'm advised of the properest methode, whether by London and Edinburgh or straight to your shore, I'll sett out as quickly as honor and gratitude to my worthy dear friend Sir James Steuart will permit. He's still detained prisoner and can't think of takeing any determined resolution till I see him att liberty." Great was Andrew's loyalty to his friend; he is certain that there are no just or legal grounds for his detention. "I'm persuaded could the French Ministers find time to examine his affair, he'd been soon honourably sett at liberty, but at present they've more weighty matters to mind. The affairs of peace entirely engrosses their attention, which I hope will be honourable and gloriously finished for Brittain

before the end of this year. The important conquest of the Havannah must necessarily contribute to hasten it.”

In 1762 Havana was captured by Admiral Sir George Pocock and George, 3rd Earl of Albemarle; the latter had fought on the Government side at Culloden. By the treaty of 10th February 1763, at the close of the Seven Years War, Havana was restored to Spain in exchange for the Floridas.

Andrew greatly resents his sister's imputation that he is becoming enamoured of the Continent; his Mother has assured him that she doesn't believe it, but he is provoked at even being accused of such a thing. “Those who fancy I like liveing abroad are grossly mistaken.” Again he contradicts himself, “It's certain few in my way has been happier since I quit my country and been lucky in acquiring friends.” A bit of Andrew's habitual gloom and a slight flash of temper follow. “Tho' I dont figure so great comfort att home, as a great part of my friends and acquaintances are dead, yet I can assure you that I'd prefer peaceably sitting down at your fireside to every other satisfaction. I think myself responseable to non alive for my motives or actions but to you and my nearest relatives.”

He hopes his Mother does not want for anything, rather he encourages her to buy more articles for

Rannes, especially eighteen small but strong chairs and two arm chairs for the dining room. Evidently he must have anticipated entertaining a goodly company on his return home. "Those for the green room may defer something in fashion and tho' slighter it matters not. Those fashionable tables you ought to order from Edinburgh, as the freight on these bulky things is considerable and will be saved by your own boats." Then tantalisingly he remarks: "If I pass by London and see any thing I think absolute usefull will purchase it; things only for show I know you neither want nor desire." But he will buy some more china in Holland, before he leaves, as it can be procured there cheaper than in Scotland. He is glad that his Mother is giving up beer and is taking to drinking claret, which he says he will send over. This most likely kept her alive. He regrets however he can't send the mirrors asked for owing to "the risk of braking and smuggling them being too great", though he assures her that "French mirrors are much better and less expensive than the British"; "kitchen furniture" he will also inquire about as he thinks all copper goods are cheaper in Holland.

Andrew had hurt his leg—which gave him considerable trouble for a long time afterwards—and has been confined to his room. The injury occurred when he was going on board a ship, but on what



occasion is not stated. *If* and when Sir James Steuart is released Andrew hopes to be able to return home, provided that he is told that he can do so with complete impunity. On the back of this letter of 12th October there is written in Andrew's handwriting a note of "prices of fruits and spiceries" as requested by his Mother.

Raisins f. 12	}	p. 100 weight.
Currans f. 12		
Pruns f. 6		
Cinamont f. 7½	}	p. cwt.
Mace f. 7		
Cloves f. 5½		
Nutmegs f. 4		
Pepper ½ stivers	}	p. cwt.
Coffee 8½ stivers		

Above is Dutch money, but Sandie will tell you pretty near what it is in British. The exchange presently is high and very disadvantageous, a florin here costs 23½ pence in Scotland."

There follows a letter of 2nd November to Andrew from his cousin, Charles Hay who had something to do with the Herald's Office in London. Charles says he is quite at a loss how to advise Andrew and that some of his particular friends have given it as their opinion that his cousin ought not at present to run any risks, as though some Jacobites have safely returned, "they are not commended for their rashness." Poor Andrew

was sorely perplexed by the various advices which he was then receiving—some urging him to return at once and frankly intimating that he was foolish not to make the attempt, whilst others recommended caution and said he had better stay where he was until he had some definite assurances. Charles Hay is of the latter opinion and is delivered of a remark to the effect that, “a Blot is no Blot till it is hitt upon and then it’s said, who would have thought it.” To this odd statement he adds another; “I think as you are safe where you are and can sleep quietly and securely and not hunted like a partridge on the mountains, I would have you stay where you are for a few months, till we see whether we shall have a peace or whether the Parliament will think of a general act of Indemnity, *for our countrymen are not at all respected here at present*, occasioned by the late advancement of one single personage, who is not likely to continue long in power.”<sup>1</sup>

In her next letter, Andrew’s Mother shows her great anxiety regarding his injured leg and begs him to take every care of it. She hopes he will come home soon, but urges him to avoid any risks, and adds that his “coming at this season of the year in a smugling

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<sup>1</sup> John, 3rd Earl of Bute, Prime Minister and First Lord of the Treasury, 1762-63.

vessel to the Murray Firth is what I am averse to”, explaining further that “vessels are obliged to stand out long at sea after they come on this coast”. She asks him, when he has decided to venture, to take the shortest passage to London and then ride to Scotland on his own horse. Andrew had—almost—resolved to go home as is shown by his letter from Rotterdam on 26th November, in which he thanks God for having spared his Mother’s life so far and hopes that he may yet be permitted to see her. Then he tantalises her with some qualifications of his project: “In spite of that, if some very extraordinary circumstances does not intervene, I’m resolved *as soon as health permitts*, to risk it”—that is to return. “The seeing and embracing you will more than recompense any hazard I possibly can run. I thought of goeing straight home from this but as it’s contrary to your opinion, shall follow your orders and goe by London, where, if I find horses reasonably cheap and that I’m able to undertake the journey on horse back, will ride down att my leisure. It would be very comfortable if fortune would provide me with ane agreeable companion. But if I find difficultys, will goe down to Edinr. post and buy horses there to bring me north.” As the Seven Years War was now concluded,<sup>1</sup> Andrew thinks that

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<sup>1</sup> Preliminaries of peace were drawn up at

the dangers of returning must be lessened. He reflects on the great changes he will find in the country after so long an absence and bewails the death of so many friends particularly that of his distant relative, James Duff of Corsindae, Aberdeenshire, a very energetic individual who was known to say “since a man can live but 60 years it’s a pity he must sleep 20 of them.” He actually lived to be 86.

Andrew’s Mother in her reply of 17th December, is still solicitous about his leg, and asks whether it was broken or sprained and if it were the one he had formerly hurt. Her belief in doctors is not very great; “It’s a pleasure your physicians have hopes of your being well, tho’ they’re often mistaken.” In spite of her previous advice, she does not now approve of his travelling to Scotland on horse back; with her maternal solicitude, she writes, “I should think that riding down wou’d be ready to make your leggs swell.” There are still more “wants” for the house at Rannes and she suggests that Andrew can provide for these if he comes home by London. The much debated point as to whether painting or papering would be preferable for the various rooms has been

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Fontainebleau 2nd Nov. 1762 and the Treaty of Paris was signed 10th Feb. 1763, when Canada became a British possession.

partially settled by Helen Fraser who informs her son that “the dinning room was box’d<sup>1</sup> chair high and said to be neat enough done, but I wou’d do no more than I have done”.

James Hay wrote from Edinburgh on 5th January 1763 to Mrs. Hay alluding cautiously to “our friend in Holland”, whose health recently had not been good. Andrew had sent him a copy of an opinion that he had received “from ane eminent physician in Holland”, which James had given to Sir Stuart Thriepland who wrote his advice to Andrew. Sir Stuart Thriepland, 3rd Baronet of Fingask, Perthshire, was the youngest son of Sir David Thriepland, who took part in the Rising of 1715. Sir Stuart was “out” in the ‘45 and escaped after Culloden, remaining in France till the Act of Indemnity of 1747, when he returned to Scotland and practised in Edinburgh. His brother, Thomas, a Captain in the Jacobite Army, was killed at Prestonpans.

James Hay had been most active on Andrew’s behalf. He had interviewed two Senators of the

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<sup>1</sup> Wainscotted.

College of Justice, Lords Edgefield<sup>1</sup> and Strichen, to whom he had mentioned Andrew's poor state of health and that as nearly all his Jacobite friends had returned to Scotland, it was very hard that he should still have to remain abroad. James was clever enough to use this excuse for his being allowed to go home, "as the air of his own country might be a great means of his recovery." The two Judges gave their opinion that Andrew, "*on account of his size, which must make him remarkable wherever he comes,*" should give previous notice of his intention to return, to someone in authority, before he adventured home. Lord Edgefield asked James Hay to write out a short note of the case to be sent to "Stuart McKenzie, Lord Bute's brother".<sup>2</sup>

The note having been approved of by Lord Pitfour, was then forwarded by Lord Edgefield, who in writing to Helen Fraser tells her that he had informed Stuart

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<sup>1</sup> Robert, son of Thomas Pringle, Writer to the Signet, admitted advocate 1724, Sheriff-depute of Banffshire 1748, elevated to the Bench by the title of Lord Edgefield 1754, died 8 April 1764. He was of the family of Pringle of Stitchell, Roxburghshire.

<sup>2</sup> James Stuart, brother of John, 3rd Earl of Bute, succeeded to the estate of his great-grandfather, Sir George Mackenzie, and assumed the name of Stuart-Mackenzie. He was Keeper of the Privy Seal of Scotland in 1763.

Mackenzie that Andrew being his near relation, “he himself had taken the precognition which was laid before the Court of *Oyer and Terminer*, that he particularly inquired and could from his own certain knowledge averr, your Son’s behaviour to have always been inoffensive to the Country, and begged that he might be allowed the benefit of his own country air for the recovery of his health.” Stuart Mackenzie, in acknowledging receipt of the note, said that these things ought to come “thro’ the proper channel” and advised Lord Edgefield to write, sending a copy of the note, to the Lord Advocate for Scotland then at London.<sup>1</sup>

(There follows the copy)

“Andrew Hay of Rannas of Banffshire, North Brittain, had the misfortune to be excepted out of the Indemnity of 1747, and a Bill was found against him. But it can with truth be averred that he never att any time of his life was accessory to imposing any hardship or distress on any of his Majesty’s loyal subjects.

“He has been abroad for many years, during which time his conduct has been unexceptionable. His

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<sup>1</sup> Sir Thomas Miller, appointed Lord Advocate in 1760, raised to the Bench as Lord Glenlee six years later. Lord President of the College of Justice 1788.

health is of late much impaired, and he is advised by his physicians to leave Holland and is told by them that the air of his own country is the most probable, if not the only means he has for recovery. He therefore begs leave to return home and live quietly as a peaceable subject during the remainder of his life, and will be able to find unquestionable bail for that purpose if required.”

James Hay writes to Andrew from Edinburgh on 6th January 1763, emphasizing the fact that it was the general opinion it would not be advisable for him to risk crossing the seas “because of your size” without previous notice. He still urges Andrew to be careful, but mentions that Lord Edgefield “sensibly touched with the accounts of your bad health”—would also write “to another friend, Dr. Pringle,<sup>1</sup> who is often about the Royal Family and transmitt such a note to him as might be shown, which he hopes would obtain what he askt.”

On 13th January, Jean Hay informs her brother that as nothing had been heard of him since the beginning of December she was hoping that he had

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<sup>1</sup> John Pringle, M.D. in 1730, for a time practised in Edinburgh. Physician-General to the Forces in Flanders 1764. Subsequently settled in London and was created a Baronet in 1766. Appointed Doctor to George III in 1774.



already arrived in London, and she trusts that “no obstacle may fall in the way to prevent your coming home.” She too also urges him to be cautious. “It’s certain there never can be any loss from circumspection. I never heard you charg’d with doing any thing rash, neither is it the oppinion of any persons I see that your comeing home cou’d in the least be attended with any inconveniency or hazard. They say all malice has ceased, no inquiry has or will be made against those that have come over, representation if offer’d wou’d be rejected, and what has Mr. Hay to be affraid of more than others in his situation that were equally culpable, has run the same risks, and now enjoy uninterrupted freedom and ease in their own country.”

There is no record of any answer to the applications of Lord Edgefield and others, but at last Andrew plucked up sufficient courage to act for himself, and face all possible dangers. His previous communication had been sent from Rotterdam on 28th November; he now writes from Antwerp. It was then extremely cold, for he says he has sent his Mother certain goods from Rotterdam but that the ship is frozen into the harbour so there will be some delay in receiving them.

Andrew describes “his unfortunate leg” as being “skined over,” so it must really have been in rather a

serious state. "It's very weak and swells always at night but a hopeful danger is all over. The early treatment of it was not successful, never was a poor creature so butchered by unskilled surgeons, am satisfied had not I gone to Leyden to consult Professor Gaubins that it might by the consequences have proved fatal."

Then comes the great decision. "At last am resolved to risk crossing the seas, your sentiments and a desire of seeing you are the only motives that induce me"; after which he adds with his habitual gloom, probably accentuated by his long exile, "I hope it will turn out better than expectations," which, to say the least of it, was not a great compliment to his Mother. He informs her that he will set out for Ostend in a few days and, taking the first packet for England, proceed to London. "My stay there will be proportioned as I find things agreeable; at any rate won't remain above two or three weeks." As a matter of fact he stayed in London for nearly two months. He deplores the fact that his expences have been very great lately, but endeavours to soothe his Mother by saying; "if permitted to live peaceably and quietly at home, will endeavour by direct oeconomie to remedy what's past." He requests her to write to him at London under cover of his cousin Charles Hay, which is strange as he tells her that he is going to stay with

Dr. William Grant, who invited him to live in his house during the whole of his time in London.

His friend, Sir James Steuart, at last set at liberty by the French, has returned to London, where he is living incognito, of which Andrew does not approve at least for himself “considering my size”. To reassure his Mother and to make her believe that he really means it, he writes; “I’ve resolved on my plan and nothing will prevent my attempting to execute it. So you may reckon me in England about the end of this month.” This—his last letter from abroad—concludes with “God grant us a speedy and happy meeting.”

## PART III

1763-1789

### I

#### THE EXILE LANDS IN ENGLAND

AFTER a severe tossing in the Channel during which he caught a cold, Andrew arrived in London on 28th January 1763 and writes to his Mother the next day. He describes his journey as being the most disagreeable, tedious and—with true Scottish thrift—the most costly he had ever undertaken. Was it worth all this discomfort and expense—would he be welcomed—would his native country and his remaining old friends be pleased to see him? These thoughts were undoubtedly uppermost in his mind. But there was his Mother—she would compensate for all. Driving from the coast by the coach he reached London and at the time of writing was safely ensconced in his friend Dr. Grant's house. Andrew as usual cannot determine what plans he will adopt or how to comport himself while he is in London. His friends there were of the opinion "that I should live here some time, neither in too publick nor too private a way, so as it may take air in Scotland gradually, which will have this effect that it will put a stop to all informations against me, for none will think such

agreeable against a man that lived a certain time att London without being taken notice of." Here again is a sample of Andrew's extreme caution though this news was a great disappointment to his Mother. He assures her, however, that he is most anxious to be home after his long exile. He gives further accounts about his injured limb, which is much better though not yet strong. "It was a contusion in the left leg and ought to have been cured in a short time," thereby agreeing with his Mother in her opinion of doctors. With regard to the manner of travelling the long journey to Scotland he says that much depends on the duration of his stay in London and on the climatic conditions when he sets out. "If the weather is fine and that I could fall in with an agreeable companion, riding down one's own horses would be very agreeable, but I hope in God I shan't be here till the fine season, so imagines a post-chaise will be my best." He is prepared to execute any commissions that his Mother may wish him to do but he will be very careful in the manner of his spending. "Debt, I hate and abhor as much as anybody, but absolute necessarys must be had, cost what it will." He feels that his Mother must still want many articles for Rannes, which he is ready to supply as he considers "it's hard you should want these in your old days". If she doesn't like the china he has already bought for

her, it can be sold in Scotland—probably at a profit! He mentions another cousin, Willie Cumming, serving in the French army, whose regiment has been reduced and he is now on “poor half pay”. This causes Andrew to burst into a tirade against the French—even though he had lived abroad so long he doesn’t seem to have liked any foreigners. He had written and advised Willie Cumming “to find service elsewhere, for the French are a good-for-nothing, ungrateful pack. God pity them that has anything to do with them.” Andrew asks his Mother to tell “her great neighbour”, Lord Findlater, that the exile had at last returned and that he is at present at London awaiting the support and countenance of those in high stations. He wants his return to be known by all his acquaintances, and he intends writing himself to Edinburgh “to advise my friends there of my arrivall and let them make what use of it they find reasonable”.

James Hay congratulates Andrew on his return. James has told the agreeable news to Lords Edgefield and Strichen who say they will both be delighted to see Andrew when he comes to Edinburgh. This should have gratified the exile who was feeling rather doubtful as to what sort of a reception he might receive from some of his acquaintances. Hay assures him that he need have no fears as regards Edinburgh

where “the edge of resentment is quite abated, and nobody imagines that there is any thing to difference your case from that of others who are now living quietly at home:” he also says that Sir William Dunbar of Durn, Banffshire, and James Moir of Stoneywood, both prominent Jacobites of the ‘45, are in Edinburgh “and appear publickly quite unmolested”. He recommends Andrew to see as many people as possible, especially those in authority in London—“the more friends it’s always the better.” Hay is looking forward to seeing Andrew when he arrives at the Scottish capital and promises to have “a proper lodging” provided. “Meantime Peter Ramsay’s Inn, without the Cowgate Port, is a proper enough place to putt up in att first, Cobairdie and family staid there all the time they were in town.” It is to be hoped they enjoyed it. James Hay’s recommendation of this Inn was not shared by the 2nd Lord Fife, who on 18th January 1777, when on his way to London, wrote to his factor in the North—“I just stay’d to change horses at Ramsay’s; the House stunk so horrid that I was happy to stay in the stable till I got my chaise.”

In another letter James Hay encloses an opinion from the Lord Advocate (Thomas Miller) to Lord Edgefield. It is canny in the extreme and was not much help to Andrew who, having at last taken the

decisive step, had to abide by it.

James Hay advises Andrew to call on Dr. Pringle when in Edinburgh and thank him for his good offices. But above all he strongly recommends him to visit "Solicitor Garden, who said he would be glad to see you, as his brother Peter had wrote him a most agreeable character of you". Francis Garden of the family of Troup, Banffshire, was Solicitor-General for Scotland in 1760. He was afterwards raised to the bench as Lord Gardenstone and died in 1793. He had two brothers, the elder, Alexander Garden of Troup, who was M.P. for Aberdeenshire from 1768 to 1785 and a younger one, Peter, whose son ultimately succeeded both his uncles in Troup. It is interesting to note that all the three brothers had awkward experiences at the hands of the Jacobites during the Rising.

That Francis Garden should have expressed a desire to see Andrew after all that he and his family had suffered during the '45 may seem strange, but Francis was a kindly though eccentric man and his action may have been prompted partly by curiosity to see an exile of that period as well as by the more humanitarian motives of being of some assistance to a suffering fellow countryman. Francis Garden's adventure took place on the day before the battle of Prestonpans (21st September 1745). He and another



young man had ridden out from Edinburgh to Musselburgh, with what object is not clear, some say out of sheer curiosity, others that they were among the City Volunteers. They entered "Luckie" Chrystal's Inn and enjoyed a good meal of white wine and oysters. While seated at an open window watching the movements of the Highlanders, they were seen by one of Prince Charles' Life Guards who, being suspicious of their presence, arrested them and carried them to the camp at Duddingston. There they were brought before Colonel John Roy Stuart (the Jacobite poet) who took them for spies and proposed immediately to hang them! In this unfortunate position they were lucky enough to be recognised by young Colquhon Grant<sup>1</sup> who was serving in the troop commanded by Roy Stuart. Grant was able to prove the innocence of the captives, and being entrusted with the duty of guarding them, later on allowed both to escape.

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<sup>1</sup> Afterwards a Writer to the Signet. It is related of him that after Prestonpans he pursued a body of dragoons back to Edinburgh; and the inhabitants were amazed by the sight of the defeated cavalry galloping up the High Street followed by a single Jacobite! The troopers just managed to get into the Castle, and Colquhon Grant, as the gates closed behind them, stuck his blood-stained dirk into it as a token of defiance.

Another unpleasant experience which happened to the Garden family occurred on Sunday, 31st August 1746—over four months after the battle of Culloden, when Alexander Garden was peaceably living at Troup. About 10 o'clock at night a party of twelve armed rebels “commanded by a young man who appeared to be about 30, and look't like a gentleman and a low countryman” (it was hinted that he was John Gordon of Avochie) went to Troup House, about 8 miles east of Banff. Alexander Garden's well-known zeal for the Hanoverian cause had made him particularly obnoxious to the Jacobites, who, on that occasion, broke into his house and seized him. *The Scots Magazine* says “they went to his bed-side and demanded £2,000 from him. As he could not produce that sum, they made him write to his friends to produce the money and threatened him with death if it were not forthcoming in three days. They seized all his papers, about £140 of money, and at one o'clock on Monday morning they set out from Troup, carrying Alexander Garden prisoner with them.” They went in the direction of the Tap O'North. Troup's servants, who were to deliver the letter for raising the £2,000, were ordered to come the following Wednesday to the Glen of North above Whitelums<sup>1</sup> (a

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<sup>1</sup> The farmer of Whitelums in December 1745 was one Robert Baron, whose daughter Margaret married

farm close to Gartly Railway Station). They appeared at the place appointed, but could not effect their master's release. Troup's friends and relations also tried to bring this about, but having failed, they went to Aberdeen and Banff to raise the military, who seem to have acted with promptitude. On 9th September Lord Albemarle, Commander-in-Chief in Scotland, wrote that "the Rebels finding themselves close pursued, released him (Mr. Garden) on Saturday night (September 6th) at ten o'clock. But if they think I have done with them for showing this mark of Indulgence, they are mistaken, for I will have them dead or alive, for so audacious an act was never committed." He failed, however, to capture the kidnappers or recover the many valuable papers taken

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James Forbes of Inverurie on 19th December. The wedding festivities were interrupted by the passage of the Government troops which were defeated, four days later, by Lord Lewis Gordon. The beaten troops were Highlanders under Munro of Culcairn. When the wedding party fled, the Highlanders demolished all the provisions, while James Forbes' children—by a former marriage—were carried in creels on a pony's back to their home at Badielfurrow with white cockades in their little bonnets. The elder of these two children, Alexander, then 4 years old, became Provost of Inverurie and was great-grandfather to Sir Johnston Forbes Robertson.

from Alexander Garden.

Indeed, these were only finally recovered by the agency of John Gordon of Avochie, who stipulated for a protection from Government before he would proceed to seek for the documents, which seems to suggest that he had been concerned in the affair from the beginning.

The third of the Gardens—Peter—who acted as factor for his eldest brother—was seized by John Gordon of Avochie in November 1745. He was conveying a considerable sum of money to Troup, and this doubtless proved a welcome addition to the scanty Jacobite funds.

Andrew wrote his second letter to his Mother from London on 4th March, nearly five weeks after the first. During that period he was making himself known to his acquaintances and calling on those in authority whose interest he was advised to court. In spite of his own neglect—or laziness—he says he is astonished “and very uneasie at the thorrow silence of you and my brother and sister. Since the last days of January that I wrote on my arrivall not a scrape from your corner of the world.” He mentions that if there are any further articles needed for Rannes it would be advantageous to procure them whilst he is in London and he goes on to write about the new house itself. “I’m vexed to think of the smoak. It’s hard that every

room does. Was I never so rich, would not choose to put up good furniture in a smoaky house, it would be dirty and spoiled in a year. When I come down, we'll see if it can be cured and buy paper and other things in consequence. Dark paper is best for smoak." He refers again to the much debated subject of the chairs, which had not yet been procured, and suggests they might be bought cheaper at Edinburgh or even at "Roups"<sup>1</sup> of furniture. Whimsically he adds; "But it must be a judge that purchases them, otherways they might buy old good for nothing, patched things." He is unable to make what he calls a "publick appearance" for reasons of discretion and he is rather sad that he cannot therefore amuse himself while in the Metropolis. But he appears to have made up for the lack of diversion by making many calls. "I've seen and dined with Lord M<sup>c</sup>Duff.<sup>2</sup> He received me in the kindest manner and behaved with a freedome and openness that's engagding." He also had dinner with cousin Alexander Fraser of Fairfield, Inverness and his wife, whom he describes as "a genteel woman, who has a little defect in speaking, but in spite of that, seems to be agreeable".

In seeing his friends in London Andrew had a rule

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<sup>1</sup> Auctions.

<sup>2</sup> James, afterwards 2nd Lord Fife.

—“never to visitt any till they call for me. The same I propose to follow when in Scotland.” This was doubtless to avoid possible snubs. Many people went to call on him from pure friendship and affection but probably there were others desirous of seeing—out of sheer curiosity—this persecuted Jacobite giant recently returned home after a prolonged exile. Andrew had also dined with his cousins, Charles and Alexander Hay, brother and son to James Hay of Cocklaw, and had exchanged visits with George Skene, the 18th Laird of Skene, and representative of a very old Aberdeenshire family which was beginning to fall on the down grade. This George Skene—there were many in the family of that name—married his cousin Mary, daughter of George Forbes of Balflugi near Alford. Tradition asserts that she was a very beautiful girl but was deaf and dumb; that the Laird of Skene seduced her and was compelled by the family to marry her, having previously fought a duel with and wounded her brother. It is said that George Forbes cursed the Skene family, which shortly afterwards died out, and the estates passed to other hands.

Andrew relates how grateful he is to the Gardens. “I’ve been much obliged to Troup (Alexander Garden) and sees him often. His brother Peter is arrived from Paris and Frank is expected every day in town from Scotland.” With true worldly wisdom Andrew adds,

“as he’s Sollicitor it will be convenient to make acquaintance with him.” At the moment Alexander had a severe cold but Andrew says, “how soon he gets the better of it, am hopefull we’ll sett out together for the North. I am advised by friends that goeing down with him is prudent and reasonable.” To travel north in the respectable company of a Whig laird and under the aegis and protection of the Solicitor General for Scotland would certainly be a great advantage to Andrew—or as he put it earlier, would be “very comfortable”.

At last his servant Robbie has left him and has gone into the employment of Captain Robert Duff, R.N. Robert was one of the younger of thirty-six children of Patrick Duff of Craigston, Aberdeenshire—the correct score was thirteen children by his first wife and twenty-three by the second—who is said to have been complimented by George II on the addition he had made to his Majesty’s subjects in Scotland. It is reported that Robert’s father—in his old age—having met a small, white-haired boy playing in the garden at Craigston, inquired “and wha’s laddie are you?” To which the future Admiral is said to have replied: “Dinna ye ken your ain son Robbie, ye auld fool!” Captain Duff was very active in persecuting the Jacobites in 1746 when he commanded the sloop “Terror”. In 1764 he married Lady Helen Duff, 4th

daughter of William, Lord Fife and secondly, in 1781, Jean, daughter of General James Abercromby of Glassaugh, widow of Captain George Morison of Bognie. Captain Duff became a Rear-Admiral in 1776 and died in 1787. He bought Fetteresso, the ancient seat of the Earls Marischal.

In consequence of the loss of Robbie, Andrew asks his brother to look out for another servant, "some honest fellow that can shave and dress, serve att table and care for horses." He ultimately found another domestic in Scotland, William Wright, who was with him till the day of his death.

In case his Mother may be disappointed that he does not immediately return to her he holds out hopes of starting soon for Scotland. "As my setting out from this does not entirely depend on me, so can't fix as yett the precise day, but depend on it shall be as soon as possibly I can. Nothing earthly I desire so much as seeing you." As he intends to "goe down post" he says he wont be long on the journey "if once sett out". He seems now to doubt his powers of making up his mind for himself and is still dependent on the opinion of others—an excusable state of mind when for years he had nothing to decide, except the choice of his meals. "My stay at Edinr. wont I hope be long but that depends on the advice of friends there." He had consulted young Lord Macduff in London, who in



replying from Charles Street says that he had spoken to Stuart Mackenzie and the Lord Advocate about Andrew's position and they both were of the opinion that it were best not to make any public application and advised his going home and living quietly. Lord Macduff ends his letter with: "If I should not see you before you set out, I wish you a good journey and agreeable meeting with your friends."

Partly on account of this, coupled with the advice of other friends, Andrew writes to his Mother on Thursday, 17th March, that he has decided definitely to start for Scotland. But he is delayed at the last moment. Everything was ready and prepared for the departure next day when—at 8 o'clock at night—in came Francis Garden to tell Andrew that important business had suddenly arisen which made it quite impossible for them to start before the following Monday. The delay was most irksome to Andrew, but what could be done? He had promised to accompany the two brothers on the journey to Edinburgh and he must keep his word—whatever it might cost him. He had already said goodbye to all his friends and there was nothing to detain him save this annoying Garden business. The three companions did set out from London on Monday, as promised by Francis Garden, and we may imagine the trio bowling merrily along the road to Edinburgh. No mishap seems to have

overtaken them on the journey; certainly to Andrew, if not to the other two, the dangers of being robbed by footpads or being held up by highwaymen must have seemed infinitesimal after all the excitements and adventures with which he had met. The little party safely reached Edinburgh, and among the many whom he visited were Lord Edgefield—no doubt to pour out a flood of gratitude for his good offices—and James William Montgomery, Sheriff of Peebles, afterwards Lord Advocate of Scotland. Andrew was particular in always seeing the right people. He gathers from his friends that “if my own conduct does not bring on persecution, it’s hoped the Government wont. At present it’s neither the disposition nor intention of those in power to trouble us.” This should have been a great solace to Andrew, who could now feel sure of his own future movements, as well as being a comfort to his Mother who rejoiced greatly at his news. He says that he will leave Edinburgh as soon as he can, there was nothing now really to detain him and he asks her to forgive a short letter as: “I’m obliged to goe out immediately to sup with Pitfour (James Ferguson) and am extremely hurried in doeing nothing.”

This is the last letter Andrew ever wrote to his Mother for after six weeks dallying in Edinburgh he at length, riding his own horse, set out from there on his

long solitary journey home—a distance of about 170 miles. What route did he take? He may have followed part of the track of the division of the retreating Highland army under Lord George Murray seventeen years before and would have reflected on the sad fate which had overtaken many of those who had served under his Prince's banner. Whatever his thoughts, his journey cannot have been an altogether happy one. His best way would have been by Coupar Angus (53 miles from Edinburgh, by the old road) then through Meigle and Glamis to Forfar and Brechin. After fording the North Esk and passing through Fettercairn he probably crossed the Dee at Banchory (thus avoiding the town of Aberdeen) and so on by Monymusk and Old Rayne to Banff (which would have been the easiest going in those days).

## II THE EXILE AT HOME

THERE is no account of his journey but he travelled as quickly as possible. As he rode into his native county how he must have thrilled as he passed many a well-remembered spot. At last the Binn of Cullen came into view. Only a few miles more and he would be Home. But would he find many changes there and elsewhere? Riding on and nearing his birthplace, what memories of his youth came to him. By that burn he had played as a child—here his adored Mother had first supported his tottering footsteps on leading strings. On approaching his property a new and completely unknown Rannes arose before his eyes—the home that his Mother had built for him on the ashes of their former dwelling.

And what of his Mother? Her maternal instinct would have told her that her Andrew was coming daily nearer though he had warned her that he couldn't be exact as to the day of his arrival. For many evenings past she had stood on the slight eminence on which Rannes was erected, straining her eyes for the return of her son—her Ulysses—but in this case unlike Penelope, she had no work to undo, all that was needed was to pick up the old threads, all that she had done was for her Andrew alone; the new house built,

the estate in perfect order—all for him. As he neared his home he wondered if his Mother—that kind wise parent who had denied herself so much for his sake—would be alive to greet him. He had written to her from Antwerp in January, just before starting on his return, “God grant us a speedy and happy meeting.” His pious prayer was answered and the indomitable old lady was at Rannes to welcome him. What a meeting it must have been, how much they must have had to say to each other. No record has been kept of the reunion—after so many years separation—of loving mother and devoted son—but perhaps one may picture the scene.

As he rode past the town of Cullen and the dwelling of his “great neighbours”, the Findlaters, many more recollections of distant boyhood arose. He saw many new things—he mourned for others long lost. Perhaps some rude boys may have laughed at this ungainly and unrecognised giant riding his high horse. What did he care for their merriment—he was coming home to his Mother at last. Urging his wearied steed up the hill to Rannes he saw an aged and bent figure silhouetted against the setting sun, her frail body supported on the right by a consumptive son and on the left by an invalid daughter. With her weak eyes the old lady gazed at the approaching horseman in doubt. As he entered the courtyard a shaky voice may

have been heard to cry: “is that you, Andrew?” He swung from his horse and for the first time for many years he landed on Banffshire soil. Just for a brief moment Andrew may have paused. Could this frail, white-haired old lady—whom he had left so energetic and active, whose memory he had so lovingly treasured—be indeed his adored Mother? Could that tired thin man be her dear son Andrew? He walked towards her. “Is it you, Mother, at last?” With all her Gaelic simplicity she replied, “Ay, Andrew it’s just me.” The gentle giant bent to kiss her; the Mother uttered a little cry and then fell sobbing in his arms. Tears—idle tears—and an old woman ecstatically happy for the rest of her life as Mother and son, reunited by the Grace of God, go hand in hand into their new home. The pent-up sorrow of years overwhelmed the proud old lady—no longer need she pretend, no longer need she hold her head high and scorn the tattle of the world. Her Andrew was with her and that was all she cared. Mother and son were together—could Heaven be so merciful?—now she was ready to depart when the call should come. It is possible that no words were spoken, memories and thoughts may have been too much for them and kept them dumb. It may be that the brother and sister wisely withdrew and left those two happy ones together—alone with their thoughts and their

recollections.

Of what was Andrew thinking? Better a time-enduring love like this—a love that was stronger and more unselfish than that offered by many wives—he was indeed fortunate in the true devotion of his Mother. What a joy it was to the old lady to conduct her son over the rebuilt Rannes, taking him from room to room, and proudly showing him all the improvements which her care and forethought had provided. It was probably not till then that the much discussed question of papering or painting the walls was finally decided. Mother and son delighted in settling many minor points and in that they drank their cup of happiness—together. Holding her Andrew close to her, she gazed into his eyes. He was no longer her boy Andrew but a battered and sick man of fifty who needed his Mother's care, whilst the splendid old lady must have been nearly eighty years of age. The ways of Providence are strange but in this Andrew was kindly dealt with and he was able to spend six years with her before she was called away.

Andrew's wanderings were at an end. He had reached Rannes in May 1763 and after his arrival the first letter to greet him came from Alexander Innes of Clerkseat, Commissary Clerk of Aberdeen. The writer says that it gave him great pleasure to hear that Andrew was once more at home "after so long and

irksome absence”, and congratulates him on his safe return.

Gradually Andrew settled down at Rannes. But it was not the old life he used to know before 1745; conditions had changed and were changing, so many of his old comrades had passed away, some others were shy of claiming his acquaintance, but his relations rallied round him and endeavoured to make the returned exile as happy as possible. His brother-in-law, James Gordon of Glastirem, whitewashed by the “ignoramus” verdict of the jury in Edinburgh in 1748 and four Leiths, who were also “out” in the Jacobite Rising, had lived down the odium connected with it in the eyes of the Government. John Leith of Leith Hall, who died in 1727, had five sons, four of whom were Jacobites in the ‘45. The eldest, another John, who took no part in the Rising (succeeded to Leith Hall and was therefore less tempted) had married Mary, sister of Andrew. John’s four brothers were Patrick, George, Lawrence and Anthony; the two latter were taken prisoners, transported to the West Indies but ultimately got back to Scotland. Lawrence Leith was quite a character who on his return from transportation, lived in Aberdeen. Many stories were told about him. It is said that he was once asked what would happen to outlaws in the next world, and he replied that in a dream he had a vision of the



judgment day, and upon an angel asking him what church he had been in the habit of attending, he frankly replied "None". The angel frowned and asked his name and address. "I hae nae name," was the answer, "I'm only a puir, auld, nameless, hameless rebel." The angel then smiled and admitted him to Paradise.

Many other friends were prepared to welcome Andrew, though at first he was rather diffident of going about as he feared a rebuff. Lord Findlater was somewhat slow but even he thawed at length and became on the best of terms with his repatriated neighbour. James, 2nd Earl of Fife, then Lord Macduff, had early evinced his sympathy with Andrew, when the latter arrived in London, giving him much sound advice (of which his Lordship was always very generous). But his interest in Andrew lasted during the whole of the latter's life and in 1772 took a practical shape which will be referred to in its chronological place.

Andrew was free, with some reservations, to come and go as he liked and on all sides he received congratulations on his good fortune.

In the end of 1763 there happened an event which cast a gloom upon the reunited household at Rannes. Andrew's nephew, John Leith of Leith Hall was the victim of a tragic affair in the streets of Aberdeen.

About midnight on 21st December in the house of a certain Archibald Campbell, “a vintner,” during a convivial party, a quarrel arose between John Leith and James Abernethy of Mayen, Banffshire. The origin of the dispute seems to have been forgotten, and it would have been amicably settled had not Patrick Byres of Tonley, another Jacobite of the ‘45, recently returned from France, urged Abernethy to a duel and, it is alleged, even loaded the pistol for him. When the two disputants went out of the room one of those left behind was heard to remark that he hoped “Leith would take care to keep out of harm’s way”. Shortly afterwards the sound of firing was heard from the street, the rest of the party ran out to discover the cause and found John Leith lying on the pavement of the Plainstones seriously wounded by a bullet in his forehead. He died three days afterwards. James Abernethy, who was said to have been slightly wounded in the thigh, avoided arrest by immediate flight to the Continent, being assisted in this by some of his friends, who provided him with a horse to escape from the town. After the catastrophe, Patrick Byres fled to France and for the second time went into self-enforced exile. Local report had it that for many years afterwards one of the bullets fired on this occasion was to be seen embedded in a neighbouring lamp post. Abernethy was indicted at the Circuit

Court of Justiciary held at Aberdeen in May 1764 before Lord Auchinleck (James Boswell's father). In the *Scots Magazine* it is recorded that at Aberdeen, "James Abernethy of Mayen was *outlawed* for not appearing to stand trial for the murder of John Leith." Andrew Gordon, a doctor in Fochabers, wrote at the time to his uncle, James Gordon of Letterfourie, in London; "Your compliments to Rannes shall be delivered by letter, as a personal visit will not be agreeable to a man distressed as he is just now with the death of his nephew Leithhall, kill'd last week in a duel by Abernethy of Meyan." To Andrew, who had already suffered so much, this cruel murder came as an additional sorrow.<sup>1</sup>

It is strange to note that Andrew Hay should have taken the trouble to matriculate his arms at the Lyon Office in Edinburgh, the year after his return from exile. These are: "The arms of Hay of Rannes, 1st and 4th quarters argent, three escutcheons, gules (for Hay), 2nd and 3rd quarters azure, 3 cinquefoils, argent (for Fraser). In the fess point a crescent for difference." The crest adopted was the figure of a goat, as a distinction from the rest of the family, who use the goat's head only. The motto is "Spare

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<sup>1</sup> A curious old ballad on this event is given in Appendix IV.

Nought.”

Undoubtedly Andrew kept his promise and took no part in politics, but remained quietly at home and contented himself with looking after his estate and tending his Mother in her last few years.

So we can picture Andrew during the next few years gradually working his way back to a position as a respected proprietor and resuming his former standing in the county. More and more people, who at first cautiously held back, went to visit him and in the society of his old friends and the home he held so dear, the years slipped by. Andrew wrote most cheerfully to Lord Fife revealing his love for Banffshire and proving that in the enjoyment of his native air he had completely recovered his health. He begins his letter of 8th March 1767 by saying that he is “just getting on horseback on a jaunt to Forres”, a distance of approximately 30 miles.

In the summer of 1765 Lord Fife made a prolonged tour on the Continent, the journey being undertaken largely for Lady Fife’s health, which did not benefit greatly by the change. Andrew is solicitous for her and hopes that a short course of Banffshire air will “restore her Lap. to the good health that the cursed hurrie of Smoaky London has impaired”. He begs Lord Fife not to delay: “Haste down to Duff House for health, haste down to your friends who regrates your

absence and will rejoice on your arrival.” Andrew continues; “it’s everybody’s duty to make the best of the few years, possibly days, allotted to us, and as your Lop. is largely furnished with the means of gratifying your refined taste, it would really in my opinion be culpable not to take a proper share of every pleasure in life. I wish, however, your Lop. and the Countess could find in Banffshire allurements to keep you longer amongst us. It would be your own fault if you wanted the best Society this county affords and, vanity apart, there’s few Countys affords better.”

Further remembering how much any local gossip had appealed to him during his exile, he thinks it incumbent to give the tittle-tattle of the neighbourhood. He relates that there had been a “merry meeting” in Banff, which he could not attend owing to the prevalence of a storm. Everything “went cordially and smoothly on without either pets or discontent. Some marriages, the consequence of such meetings, have happened and others talked of.” He has been away for a few visits and received a few. Lord Fife’s brother, the Hon. George Duff and his wife had breakfasted with him. Lord Findlater, the 6th Earl, who had succeeded in 1764 (and died by his own hand in 1770), is shortly expected home from Edinburgh. “To his honour be it said he loves Cullen House and always leaves it with regrate.” He next

alludes to Alexander, 4th Duke of Gordon, and his first wife, Jane Maxwell. She was always eccentric and in her childhood, with her sister, Eglantine, afterwards Lady Wallace, caused amusement by riding a pig in the streets of Edinburgh. (These animals, belonging to the Peter Ramsay who owned the Inn outside the Cowgate Port, were apparently allowed to roam at pleasure.) In 1790 she made a great sensation by appearing at Court in a dress of tartan cloth, the wearing of which had been prohibited by law since the battle of Culloden. Tartan shortly afterwards became the fashion. She raised the Gordon Highlanders (the 92nd) in 1794. Having quarrelled with her husband she left him and died in London in 1812. In the *Complete Peerage* there is a quotation from "The Female Jockey Club, 1794," in which she is thus described:

*"The Duchess triumphs in a manly mien  
Loud is her accent, and her phrase obscene."*

Andrew mentions that the Duke has not yet come north but adds that he "seems to like Gordon Castle." As a little rap to Lord Fife about Duff House, Andrew writes: "I wish I could say as much of other Great Folks." He says that his Mother and the rest of the family join him in offering their respects. "The good old Lady always mentions your Lop. with honour and esteem." The letter ends with a further reminder that

there is such a county as Banffshire and its inhabitants. "May all happiness attend you and may business hurrie you down to Duff House as I suspect a long absence, if entirely left to inclination."

On 16th December 1771 Lord Fife, then M.P. for Banffshire, wrote from Duff House to ask for Andrew's political support, though there was no election then imminent (the next one did not take place till 1774), but the candidate was undoubtedly looking ahead. He requests Andrew to stand by him and give him a friendly support. "Indeed I have a stronger claim on you than that of Relation. It is that of an affectionate warm heart, which I can say without flattery feels very kind to you." There was nothing like laying it on thick, even amongst politicians of those days. "I would take a very hearty part for you or any of your family did they call on me for support. I know you wont sit at ease and see me pulled to pieces." Next he alludes to the fact that Andrew's Mother is dead. "Was my worthy old friend Lady Rannes<sup>1</sup> in life I know she would give me her aid on this occasion." Helen Fraser died in December 1769, nearly sixty years after the date of her marriage. Andrew was shortly to suffer another loss, his only

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<sup>1</sup> This is the usual Scottish manner of referring to the wife or mother of a Laird.

brother, Alexander, long an invalid, also died at Rannes on 3rd November 1771, aged 47. The letter continues: “You know, my good Sir, what it is to sitt up and be pelted by many who for three years are resolved to misrepresent and turn everything they can think of into unfavourable construction. If they stick to truth I defy them and tho’ I perhaps shall have little of their malevolence, yet I know they will be busy. Therefore on you and a few worthy friends do I trust myself.”

The writer was soon to show his friendship for Andrew in a yet more practical manner. The latter had been living undisturbed at Rannes for nine years when in February 1772 Lord Fife wrote to Lord Suffolk<sup>1</sup> asking that pardons should be granted to Andrew Hay and James Gordon of Cobairdy for their share in the Rising of 1745, adding that “these two men have ever since their return behaved so as to merit the favour and protection of the Government, living near Lord Fife and visiting and being visited by everybody in the country,” and requesting that the petition enclosed be laid before his Majesty. He quotes a letter from John Innes of Muiryfold in which the latter had said: “Your Lop. knows perfectly that in

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<sup>1</sup> Henry, 12th Earl of Suffolk and 5th Earl of Berkeley. Sometime Lord Privy Seal and Secretary of State for the North.



Mr. Hay's present situation, he is not at the same liberty in many things as others, which must be very disagreeable to a man of his sentiments and situation. So if your Lop. can remove that restrain, I believe you'll agree with me that he will make a good member of Society." The letter proves that again Lord Fife was combining friendship for Andrew with a keen eye to his own political interest for he says: "Mr. Hay lives in the County I represent, and I do think it my duty to assure your Lordship upon my Honor that a more proper object cannot be recommended to His Majesty than Mr. Hay." The writer does not intend to be forestalled by his political opponents for he continues, "I understand that those who oppose my interest in the County have taken up the merits of this matter, and are resolved to do every thing in their power to obtain a Pardon for Mr. Hay. They have thrown out unkind insinuations against me that this has not been done for Mr. Hay, especially as others have obtained the like Grace. It will, my good Lord, be very serviceable to my Interest in the County if you will do this thing for me, and at the same time do me the justice as to trust my assurance that your Lordship will have the approbation of every body for this Act of Royal Clemency."

The Petition sent to Lord Suffolk runs thus:

“To the King’s Most Excellent Majesty  
The Humble Petition of Andrew Hay of Rannes in  
the County of Banff in North Britain,  
Most Humbly Sheweth,

That your Petitioner at an early period of Life and when under the absolute authority of a parent was unfortunately compelled to engage in the unnatural Rebellion of 1745.

His youth and some favourable circumstances in his conduct induced Government mercifully to leave him out of the Act of Attainder.

Since that time it has been the Study of his Life to render himself worthy of the Mercy that was graciously extended to him, and he has never once swerved from his Duty as a good and Loyal Subject to the best of Kings.

That your Petitioner has still however the misfortune of being Excepted out of the Act of Grace passed by Your Royal Grandfather and of having a Bill soon afterwards found against him.

That your Petitioner most humbly Flatters himself he will be recommended as a proper object of Your Majesty’s further Grace by Gentlemen in his Neighbourhood the most zealously attached to your Majesty’s Royal person and Government.

That encouraged by your Majesty’s Known Clemency and these Recommendations your

Petitioner humbly presumes to throw himself at your Majesty's Feet and to implore your Forgiveness and Free Pardon.

And Your Majesty's Petitioner ever prays——”

To the above Petition was attached another document which shows that Andrew's application was fully supported by his friends in Banffshire.

“We Your Majesty's most Dutefull and Loyal Subjects—The Commissioners of Supply and Justices of the Peace of Banffshire,

Do Most Humbly Certify to Your Majesty the Truth of the Facts stated in the before written Petition and do therefore with great humility most Humbly recommend the Petitioner as a proper object of Your Majesty's further Grace for a Free Pardon.”

Some statements in the Petition would be capable of correction; it was for instance euphemistic to say that he was under “the absolute authority” of his father, or that he was “a youth” in 1745, he being at that time thirty-two years of age. These inaccuracies may have affected the issue.

Lord Suffolk replied that as long as they (*i.e.* Andrew Hay and James Gordon) remained unmolested, he would advise nothing to be done in the matter, but added that he would receive no application in their favour from anyone but Lord Fife

“but what shall come from me”.<sup>1</sup>

But Fife was not content with this refusal and wrote several letters to Lord Suffolk in 1773 urging the matter, in one of which he says, “I have been very importunate with your Lordship in favour of my near Relative and friend Mr. Hay.” (Through Helen Fraser’s mother, Mary Duff, they were second cousins.) Lord Suffolk replied that he was always anxious to serve Lord Fife especially on an occasion like this, “if I did not foresee that the laying Mr. Hay’s Petition before his Majesty would draw on other applications of the like kind.” He reiterates that if Andrew is allowed to live peaceably it would be unnecessary to trouble the King on the subject; that nobody’s recommendation would have so much weight as his correspondent’s and that if any proceedings were started against Andrew he would at once place the Petition before the King.

Lord Fife also wrote to the Lord Advocate of Scotland informing him that he had sent the Petition to Lord Suffolk and hopes that if any application were made to the former he would support it. Yet once more did Andrew’s persistent supporter address Lord Suffolk on the subject and again the latter replied that in view of the many forms that must be observed

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<sup>1</sup> The letter to Lord Suffolk and his answer are in the Record Office.

before obtaining a formal pardon from the King, it would be best not to move further in the affair. This would seem to have ended the matter for the moment.

Andrew gratefully thanks his friend for his endeavour "to restore my freedom without my participation or request." It was indeed a very kind act and Andrew cannot help wishing it had been successful, "more for being at liberty to judge for myself and not keep measures." The intercession on his behalf, even though it failed, has made Andrew much more cheerful. He now looks forward to living in peace at Rannes, "managing my own with discreet oeconomy and ploughing my few acres." He, however, begs Lord Fife not to take any further trouble for him "if it could in the most distant degree hurt any of your other measures"; and adds, "I am determined to live quietly and hopes by my conduct never to raise resentment against me."

He mentions an incident, which at that time made a great stir in the north of Scotland, namely that the Duke and Duchess of Gordon, Lord George Gordon and Colonel (afterwards General) Benjamin Gordon of Balbithan, had lately made a tour through Inverness-shire for political purposes. "Their success I know nothing of but it's said the Frasers are disposed

to serve him<sup>1</sup> if their Chief gives up, which seems yett by all grounds to be quite uncertain. Lord George has hithertoo made no excursion in this County I've heard of."

The 3rd son of Cosmo, 3rd Duke of Gordon, Lord George was born in 1751, educated at Eton and became a Lieutenant in the Royal Navy. The allusion to his making a tour in Inverness-shire was in reference to the suggestion that he should stand for that county. In spite of the statement in the *Complete Peerage* that he contested the seat, no such action ever took place. He indeed began to canvas the county against General Simon Fraser, and became so popular by talking Gaelic and giving Balls, to which he brought pretty Highland girls, that Fraser grew alarmed, and, to prevent opposition, bought for Lord George the pocket borough of Ludgershall in Wilts. The latter took his seat in 1774 and continued to represent that constituency till 1781. At one time there was also a question of his contesting Ross-shire, for Lord Fife, writing from Fife House, Whitehall, on 17th December 1774 says: "The Dutches of Gordon told everybody here that Lord George Gordon was so sure of Ross-shire that he did not think it worth his while to take the trouble to go down."

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<sup>1</sup> Lord George.

After his election to the House of Commons, he struck out an original line and soon gave every sign of eccentricity. Lord Fife writes to William Rose on 14th April 1778: "you would see in the papers that Lord George Gordon rather look'd mad in the House last night. I was not there, but his abuse of Lord North was in regard to the bargain about the borough he comes in for—it was not honourable to say anything about it." Two years later he again wrote: "Lord George Gordon had an audience of the King last week and stayed till he read a pamphlet. The King desired he would leave it and he would read it; after it began to be a little dark, then he agreed to leave it, but insisted on the King giving him his word of honour that he would read it, which the King was good-natured enough to do. I fancy he will get another audience. He really seems quite insain." Lord George became notorious in connection with the "No Popery" riots in London in 1780, for his share in which he was arrested but was acquitted of "constructive treason." In 1786 he embraced the Jewish faith and in 1788 he was sentenced to five years' imprisonment for libeling Marie Antoinette and the British Government. When in Newgate he lived very much at his ease, giving dinners and dances. Being unable, on the termination of his sentence, to obtain securities for his future good behaviour, he was not allowed to leave the prison and

there he died, unmarried, on 1st November 1793, of a gaol fever.

The Frasers' "Chief" was Simon Fraser, eldest son of the attainted and executed Simon, Lord Lovat and, but for the Attainder, would have been 12th Lord Lovat. He was involved, much against his will, by his father in the Rising of the '45, and in December of that year the Fraser clan, under his command, marched to join the Prince's army at Stirling. He surrendered himself on 13th October 1746, was attainted and imprisoned for a short time in Edinburgh Castle; but in 1750 he received a free pardon. He was called to the Scottish Bar in 1752 and to the English Bar three years afterwards. Then he joined the army and at the beginning of the Seven Years War he raised a body of 1,800 men which became, later, the 78th or Fraser Highlanders, of which regiment he was appointed Colonel in 1757. He took it to North America in that year and served under the command of General Wolfe, was wounded at Quebec and led a brigade in the advance on Montreal in 1760. In consideration of his military services the estates, forfeited by his father, were restored to him in 1774, subject to the payment of a fine of £20,983.

Andrew writes early in 1775 that he had had "ane killing winter and was advised to journey in the quest



of health.” So he contemplated taking a holiday and had even thought of going to London but at the last moment he was prevented. “Ane unlucky accident of a wound in my right leg frustrated my intentions and for five weeks past has confined me to my room, mostly to bed.” This was probably caused by a fall—one of the many drawbacks of being a giant—and he seems to have chafed under the confinement as it upset his carefully arranged plans. By the time of writing his leg is very much better as he is able to walk about his room with the help of a stick, and explains that his letter to Lord Fife, “is the first I have wrote for many weeks, and with my leg on a footstool.”

### III

#### THE EXILE SETS OUT FOR THE GREAT UNKNOWN

From 1775 onwards Andrew's correspondence becomes of more local interest, but some extracts may be given. In November 1776, he complains to William Rose: "I don't remember ever to have wrote in greater distress from the toothaick," and in October of the following year he writes to the same correspondent: "Just returned from Buchan, where I spent a week with my worthy chief.<sup>1</sup> I've been most miserable with Rheumatisms and tho' a little easier am still, when I move, greatly pained. I can't express the Universal Regrate for that worthy Lord and Lady's leaving Slains, never was two personages more liked by a neighbourhood. I wish all Lords were like him in most things, I never knew any has more the talent of acquiring Esteem and Respect, yea Love of his acquaintances." In the same letter he refers to Mrs. Cumming "My worthy and respectable Aunt," who appears to have been in distress.

He hopes Lord Fife will help the anxious old woman and so prolong her life by not turning her and "the young ladies" out of their home. He adds delightfully: "Was the good old woman out of the

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<sup>1</sup> James, 15th Lord Erroll.

question, they are all, I hope, full of gratitude for favours bestowed on them by his Lop., and putting the worthy Mother's mind att peace and quiet, will help his Lop. to Heaven."

From April 1780 Andrew's health took a decided turn for the worse, for he says that besides "great sickness" he had undergone real distress in the deaths of some relatives. As he was unable to get out much, the Duchess of Gordon has been to see him at Rannes and stayed for a couple of hours, which causes him to rhapsodise about her, "she's really in great glory—beautiful beyond my painting, and in fine spirits." Feeling a little stronger at the moment of writing Andrew says: "I meant to have paid Levée att Cullen House today—the one allotted to receive Company—but Captain Leith<sup>1</sup> is with me," and they had much business to transact. Andrew suggests to Lord Fife that: "it would be charity to send me now and then any new political pamphlet or others of amusement, to aid passing away a cold day."

The year 1780 was a most important one for Andrew who—at long last—received a full pardon.

This was achieved by Lord Erroll, though Lord Kinnoull had also undoubtedly a good deal to do with

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<sup>1</sup> His great-nephew, Alexander Leith, who was his heir and became Leith-Hay.

it and Lord Fife's persistent agitation must have helped considerably to obtain it.

THE PARDON<sup>1</sup>

“George the Third by the Grace of God of Great Britain France and Ireland, King, Defender of the Faith and so forth, to all to whom these presents shall come, greeting. Know ye that we being moved with compassion of our special grace, certain knowledge and meer motion Have pardoned and released and by these presents for us our heirs and successors Do pardon remit and release Andrew Hay of Rannes in our County of Banff or by whatsoever other name or sirname or addition of name or sirname act place or history the said Andrew Hay may be known deemed called or named or lately was known deemed called or named, all High Treason and all other treason, misprissions of treason ffelonies crimes and offences by him committed or perpetrated, by himself alone or with any other person or persones whatsoever whomsoever and wheresoebet, before the thirtieth day of August One thousand seven hundred and eighty by reason of his having been engaged in the late rebellion in the year one thousand seven hundred and forty five

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<sup>1</sup> The original and the accompanying letter from Lord Kinnoull are preserved at Leith Hall, Aberdeenshire.

within or without our dominions although the said Andrew Hay be or be not indicted committed adjudged outlawed condemned or attainted of the premises or any of them and also all and singular Indictments, Outlawries, Acquisitions, Informations, suits, plaints, exigents, Judgements, Attainders, Convictions, Imprisonments, Executions, Pains of Death or Pains Corporal whatsoever for the same premises or either of them or by reason thereof which we have had now, have or can claim or which we our heirs or successors may in any manner hereafter claim against the said Andrew Hay and so do by these presents give and grant unto him our firm pact thereupon—IN WITNESS whereof we have caused these our letters to be made patent Witness ourselves at Westminster the twenty third day of September in the twentieth year of our reign

By Writ of Privy Seal (Yorke).”

With what joy and relief—after so many years of anxiety, wanderings, persecutions and disappointments—must Andrew have received the above document, with what care he must have treasured it, how must he in the first rapture of obtaining it have shown it to everybody; his only possible regret was that his dear Mother was not alive to share the joy with him.

Though the Pardon was dated 23rd September, there was considerable delay before it reached Andrew, which was not till November, when he at once sent most grateful letters to Lords Erroll and Kinnoull. The latter replied from Dupplin in the most charming manner. "Dear Rannes, You overpower with acknowledgements. Be assured that I feel the greatest Pleasure from being able to do any thing that is agreeable to you; the Ballance of satisfaction is on my side. I am happy that you are a free Citizen and that I have contributed to restore another worthy Hay to this country; my Happiness is the greater that you are perfectly free of obligation to any of your great neighbours."

At last Andrew was completely at liberty to come and go as he liked, hitherto he had been limited as to the distance he could travel from Rannes without notice to the authorities, and had suffered other disabilities. On all sides he received congratulations, which show how much he was liked and respected; amongst them was one from Mrs. Macleod of Macleod which runs thus: "It gives me the greatest pleasure to see in the newspapers that Government has most properly made you perfect master of your own estate again, which I hope you'll long enjoy in health and comfort." She signs "Emilia MacLeod" and for Andrew's benefit adds: "My direction is Mrs.

MacLeod, Chiswick, London,” which address was certainly comprehensive.

Having somewhat recovered his health, Andrew went to London in the summer of 1780 and wrote from “Lyme Street” to William Rose at Moncoffer on 16th August. The dates indicate that at that time the post from London to Banff took a week. The letter reveals Andrew’s anxiety to make provision for his unmarried sister. He was always kind and solicitous about all his relations, but was particularly thoughtful for Jean, and he concerned himself in providing her with an annuity “to enable her to live like a gentlewoman till she is married, if ever it should happen.” In writing to Rose, Andrew acknowledges the receipt of the Bond and Settlement in favour of his sister, “who I wish to live as well after my death as she ever did with me.” He says he has signed the Bond and hastens to return it to Rose as he is most eager to get the matter settled as soon as possible; and adds—poor old man—that he has been “a good deal distressed of late,” as he was “seased with a disagreeable thickness of hearing which made me quite stupid”. A doctor in London of the name of Maule, but “a Scots Physitian famous for the ears” is dealing with the trouble and Andrew hopes “to gett over that complaint and thereby know some spirits”. He expresses his great gratitude to Rose for all the

trouble he has taken over his sister's affairs and many other complicated estate matters. "I begin to think that you're the only one I'll be indebted to on leaving this world; you've done more for me than all others in the way of business and friendship, of which am fully sensible."

Jean also communicates with Rose whilst her brother was in London, mentioning that she had heard from him twice since he arrived there. She says that he did not suffer from the long journey and hopes he may benefit by the change, but in a true sisterly fashion she adds: "I wish we had him againe set well down at his own fire side."

In July 1783 Andrew writes to William Rose that he "will be happy with the honour of a visit from Earls of Fife and Kellie. The last it seems remembers me, our acquaintance was made att Paris; many years ago—since then we've never mett." Andrew was looking forward to renewing his friendship with Archibald, 7th Earl of Kellie, who had succeeded his elder brother in 1781. They were sons of Alexander, the 5th Earl, who had been a Colonel in the Jacobite army and was present at the battles of Prestonpans, Falkirk and Culloden. Andrew concludes this letter with an unwonted piece of humour: "I've gott a terrible stiff neck. Possibly you may think I've been long troubled with that distress." A month later he congratulates



Rose on the birth of his seventh son, Andrew, and for “honouring me with the name of the young gentleman, which I highly esteem, and I hereby thank you and Mrs. Rose for this mark of friendship. I’ve often found the old proverb true—a friend in the way is better than a penny in the purse.”

For the next few years Andrew lived very quietly with his sister, but during the latter part of his life suffered much from rheumatism, probably caused by his experiences in the ‘45 and his wanderings after Culloden. He frequently complained, while in France, of ill-health and his gigantic frame was probably not equal to the many strains put upon it. For two or three years before his death he was unable to write his own letters, his sister acting as his secretary.

As Andrew grew older he began to think that there was not much object in retaining the estate of Rannes having no son to follow him and he was desirous of assisting his ultimate heir—his great-nephew, Alexander Leith of Leith Hall, who at that time was not very well-off. The property of Rannes was contiguous to that of Lord Findlater at Cullen and the latter wished to buy it. Andrew’s friends advised him to sell, particularly Lord Fife who wrote to William Rose from Innes House, 8th August 1784: “I called half an hour at Rannes yesterday, on my way here, and took an opportunity of stating to him how much

it was for his Interest to sell Rannes and buy Mr. Leith's estate. We had a full conversation. He adopted my ideas, informed me how anxious the Duke of Gordon was to purchase when he heard the late Lord Findlater wanted it, that Lord Findlater had offered £18,000. Since that time he (Andrew Hay) had laid out a good deal on it; that he would sell it for £20,000, was to consider it every view before we met. I think it greatly for his Interest to sell, but Lord Findlater will never give what he expects." With his passion for secrecy Lord Fife finishes with: "All must be keep'd quiet till we meet." Nothing eventuated at this date.

In May 1785 Lord Fife informs Rose that he had again been in communication with Andrew Hay about the proposed sale, that he intends to act as an intermediary and will speak to Lord Findlater about the deal: "it is for both their interests, but the value will make them differ. I had put myself in Rannes' situation and fairly stated my sentiments, leaving him to decide."

The business dragged on for some time, each side making overtures, but no definite conclusion was reached. Indeed, Andrew wrote to William Rose in August 1785: "I'm satisfied from my Great Neighbour's silence all treatys with him are att ane end, as he promised to me to be home in June and

begged I'd treat with no other till his return. I thought, as I agreed to his request, of writing to him, but imagins it might look as too anxious, which is not the case, besides can't imagins he'd answer my letter when he's not those of the Thane.<sup>1</sup>" So for the moment the matter was definitely off.

Andrew tells Rose in May 1787 "I think my health is on the decline." This was contained in the last letter written by Andrew himself. For the future his communications, only signed by him, were in the clear hand of Jean Hay, who had begun to help him three months earlier. In the previous February he mentioned that "My Sister is so good as Clerk for me. You'll easily read my letters which a tremor in my hand, joined to a degree of stupidity, renders them often unintelligible." He adds that he has received a very friendly letter from Sir James Duff<sup>2</sup> and goes on to remark that "Mr. Hastings affair will occasion very long and fatiguing sederunts in the House" (of Commons). The beginning of the trial of Warren Hastings, with which Lord Fife was so intimately associated for the next nine years, is here foreshadowed. The impeachment began at the Bar of the

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<sup>1</sup> Lord Fife.

<sup>2</sup> Sir James Duff of Kinstair, Lord Fife's natural son.

House of Commons in 1786, the actual trial, which lasted from February 1788 to April 1795, took place in Westminster Hall. During the impeachment Sheridan spoke for five hours and a half! Lord Fife's comments on this are delicious. "I never heard such a performance. All the time Mr. Sheridan was speaking you might have taken up a pin in the house." After attending the trial every day, Lord Fife came to this conclusion: "I cannot lay my hand on my heart and say guilty, for where there is a doubt one should lean to mercy."

In 1788 the business of the contemplated sale of Rannes was reopened, for in January Andrew wrote to Lord Fife: "Lord Findlater has renewed his treaty with me as to the sale of my Estate. You may believe that I wont sell it cheap, tho' now persuaded that his Lop. will come to my price, tho' previous to a sale there is some thing to settle." On the back of this letter there is, in the recipient's handwriting the following: "Congratulating him on an advantageous sale, but condoling with myself on losing an affectionate relation and neighbour and shutting up a friendly mansion." The writer was rather premature, as negotiations still lasted for some time and were not actually concluded until April 1789. Lord Findlater, anxious to obtain the property, had to advance his price and eventually gave £21,000 for it. Andrew had

previously granted William Rose full powers to treat with Lord Findlater, and he refers to how nearly a sale was effected in March of the previous year. He was prepared to accept “twenty thousand guineas” for his property and directs Rose “to leave off the treaty without the concession of one shilling.” Apparently the latter, who was an excellent business man, succeeded in screwing Lord Findlater up to giving what Andrew was willing to accept. It was also arranged that Andrew should not have to leave Rannes until Whitsunday 1790, so he was thus given time to decide on a new home, but as events turned out he never had occasion to move at all.

In that interesting work *The Political State of Scotland in 1788*, it is stated that Andrew Hay possessed four votes in the county of Banff. How he came by these is not clear. There is also given one of the delightful thumb-nail portraits characteristic of this Compilation. “Andrew Hay of Rannes, an estate of £500 or £600 a year. A batchelor connected with Charles Hay, advocate, the Independent Friend and companion of the Dean of Faculty; also with Lord Erroll. He never takes the oaths to Government” which seems to suggest that he had not entirely abandoned his Jacobite sympathies.

On 31st January 1788 occurred at Rome an event which is not noticed in these letters—the death of

Prince Charles Edward Stuart—Andrew’s former leader—and it may be that the old man felt that his own time was fast approaching. He had sacrificed so much for that cause and had gained nothing by it except a splendid training in the hard school of adversity and the discovery of who were his true friends.

Early in 1789, Sir James Duff, who had been M.P. for Banffshire since 1784, resigned his seat owing to a difference of opinion with his father, Lord Fife, on the question of the Regency. It had been intimated to him that he was expected to fall into line and he announced that he had applied for the Chiltern Hundreds, as he would never dream of holding his seat when “totally debarred from having an opinion of his own,” adding that a young officer with his way to make in the world, must give his support to the Prince of Wales, who was his Commander-in-Chief. His support was apparently to be given whether the Prince was right or wrong!

James Ferguson of Pitfour, a Whig, was brought in for the vacancy without a contest. It was this fact that so interested Andrew Hay, who wrote to Rose in January 1789: “I’m glad Mr. Ferguson is to be our Representative, tho’ gentlemen will think it somewhat

odd that the two great men<sup>1</sup> should coalesce without consulting the gentlemen of the County.” James Ferguson sat for Banffshire for one year, but in 1790 was elected for Aberdeenshire, which he represented until his death in 1820. He was a consistent supporter of Pitt throughout the career of the latter, and himself said that he never voted against him but twice, and on both occasions mature reflection convinced him that Pitt was right and he himself wrong. He is also said to have remarked on one occasion that he had heard many speeches which changed his opinion, but never one that changed his vote. It is to be noted that during his thirty years in the House of Commons he never addressed it, save to propose that the window behind his seat should be repaired as otherwise he would have a stiff neck! Therefore he really qualifies for the title of a single-speech member (though his request can hardly be classed as a speech) rather than William Gerald Hamilton, who, as M.P. for Petersfield in 1755, made the celebrated so-called “single speech”. As a matter of fact Hamilton subsequently made many others, so the honours—if they can be so termed—must go to James Ferguson of Pitfour. He also forms the subject of one of the Duchess of Gordon’s riddles:

*My first is found upon the banks of Tyne,  
My second is scarce quite half of nine;*

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<sup>1</sup> The Duke of Gordon and Lord Fife.

*My whole a laird of Aberdeenshire race,  
An honest fellow with an ugly face.*

The Banffshire election of 1789 was the last in which Andrew was to participate. In April of that year he tells Rose: "I have pass'd a very bad time ever since you left me, almost closs confin'd to my room and oft to my bed, finds a great decline of strength, which makes me anxious to settle some matters yet not done and to make more alterations. Let me beg the first few days you can spare from hurry of business, you'll be so good as bestow them on me." A month later he wrote to the same correspondent. "Considering my precarious state of health you must feel my anxiety for dispatch." He also remembered with gratitude the son of an old friend who had helped him in the hour of need. "I'm very happie with the accounts of Mr. Francis Lesley's royal presentation, which I hope will secure his success to the Kirk of Boharm. It's agreeable to me on account of the satisfaction it will give the honest old man his father, *to whom I lay under obligations for protections when in need*, which I hope I will never forget." Francis was a younger son of James Leslie of Kininvie, who had been kind to Andrew when the latter was being hunted about the country after Culloden and had concealed him in or near Kininvie during that anxious period.



From May 1789 Andrew's health failed steadily and his very last letter, though only signed by him, was addressed to William Rose on the 10th June. By it he appears to have had an idea of purchasing the lands of Keig in Aberdeenshire, but the transaction never took place. Instead he bought the estate of Leith Hall in order that it might be handed over at his death, free of debt, to his great-nephew, Alexander Leith. He stipulates that "if the erection of Leithhall into the Barony of Rannes shall require his Majesty's superscription, let it be obtained without loss of time. I never was under more anxiety. I hope you'll bring north with you all the papers necessary for me to sign.<sup>1</sup> He is also concerned about the investment of his money, which he hopes to lay out at 4½ per cent., but wishes that Lord Fife would accept of all his ready capital so that he might have only one person with whom to deal.

Realising that he was getting old and that the shadow of death was fast approaching, Andrew was most desirous to have all his affairs settled and this anxiety may even have hastened his end. Other friends were distressed at the old man's obvious weakness and Lord Fife, who had been to Rannes to

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<sup>1</sup> For directions to his Trustees see Appendix III.

see him, wrote from Mar Lodge to Rose<sup>1</sup> about two months before Andrew's death, as follows: "The last time I saw poor Mr. Hay he seemed anxious to mention particulars to me, but I was in a hurry and Lord Kellie was with me. He, therefore, just as I was going away, when we were alone, told me he had left a trust to me and hoped I would pay the same attention to it as I had ever done, which I assured him I should not fail to do. He then added, 'For God's sake hurry Mr. Rose to send me my papers—for *Death is on my life*'—these were his very words. I felt it, and so soon as I got home, wrote to you to forward any papers that could be conveyed by post, expressing in general his anxiety. I am anxious to fulfill my duty to him, just as if he were looking at me. You know my business, so you will have in view what can be done for this honest man's wishes."

From the beginning of July Andrew grew rapidly weaker and three days before his death his great-nephew, Colonel Alexander Leith of Leith Hall, came to see him. Andrew did not suffer at the end and was quite conscious almost up to the last, eventually passing peacefully away on 29th August 1789, aged 76–43 years and four-and-a-half months after Culloden.

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<sup>1</sup> Who was drafting the deed.

Like Ulysses, Andrew lived many years after his return home, like Ulysses he had wandered much, visited strange countries and suffered misfortunes, and like Ulysses, in Lord Tennyson's poem, he at length set out—"to sail beyond the sunset."

His death occurred at a momentous period in the affairs of the world. The United States of America had arisen on the ashes of Lord North's reputation, the French Revolution was about to break out and very shortly the peace of Europe was to be shattered for many years by the activities of that great adventurer, Corporal Buonaparte, from the Isle of Corsica.

But Andrew Hay was troubled by none of these things—he was at last at rest.

## APPENDIX I

ANDREW Hay was buried in the Rannes Aisle (erected about 1612) of the old Church of Rathven, which was demolished in 1794, but the Aisle remains, containing a large marble slab:

“To the memory of the Hays of Rannes and  
Lenplum.

1421. Sir William Hay of Locharat, Ancestor of the noble family of Tweeddale.

1645. James Hay of Rannes, mar. Margaret Gordon of Park, and died 1666.

Their children were:

1. James Hay of Rannes.
2. Andrew Hay of Mountblairy.

1684. The above James Hay mar. Margaret Gordon of Glengerack.

Their children were:

1. Charles Hay of Rannes, b. 1688, d. 1751.
2. James Hay mar. Helen Lauder, Lady Banff.

1710. The above Charles Hay mar. 1697 Helen Fraser of Inverness.

Their children were:

1. Andrew Hay of Rannes, b. 1713, d. 29th August 1789.
2. Alexander Hay, b. 1724, died 1771.
1. Mary, mar. John Leith of Leith Hall.

2. Katherine, mar. William Gordon of Shellagreen.
3. Clementina, mar. Patrick Duff of Whitehill.
4. Elizabeth, died unmarried.
5. Margaret, married Alexander Russell of Moncoffer.
6. Jane, died unmarried.

Andrew Hay died unmarried the 29th August 1789 aged 76 and his remains are deposited in this Aisle.

Mr. Hay was distinguished for those qualities which add Grace and Dignity to Human nature. Possessed of true Piety, he was an affectionate Kinsman, a steady friend, a pleasant companion, and an honest man. The urbanity of his manners and the kindness of his disposition were universally felt and acknowledged. He made use of his fortune with that happy Prudence which enabled him while alive to share its enjoyment with his friends, and to leave to his Successor an ample and Independent Inheritance.

Blessed are the dead which die in the Lord, from henceforth, yea, said the Spirit, that they may rest from their Labours, and their works do follow them.

Rev. xiv. 13.”

This inscription was put up after Andrew's death by the activity of William Rose, who suggested to Jean Hay that the family burial ground should be restored and the "Aisle" repaired. He had consulted Charles Hay, Lord Newton, about the matter and he at once concurred. Rose wrote for Jean's approval and

directions mentioning that “about Elgin there has always been eminent architects and builders of tombs.” Jean replied to this in rather a quaint manner: “I return you my best thanks for the trouble you have been so good as take in makeing out the Genealogy of my family, which makes me much more knowing than I was, tho’ God knows of little consequence, yet it’s agreeable to one to know by whom they are come.” Jean agrees with Rose’s suggestions as to the monument, all she begs is that it should be “substantial and gentile, even tho’ attended with a reasonable expence” and that Colonel Hay and Charles Hay will approve.

The date of Jean’s death is not inscribed.

## APPENDIX II

A CURIOUS document connected with the family of Hay of Rannes and the Kirk of Rathven—the effect of the Will of Charles Hay, Andrew’s father and the strange proceedings in connection with such a thing at that time—is preserved in the Register House, Edinburgh.

“*Edict of Executrie*. Charles Hay of Rannes, 1751.

Patrick Duff of Premnay, Esq., Commissary of Aberdeen to the Exors hereof greeting. It is our will, and we desire you that incontinent this our present seen, ye pass to the most patent door of the Parish Kirk of Rathven and there upon ane Sunday before noon, immediately after Divine service at Dismissing the Congregation, Lawfully summoned, warn and charge *Helen Fraser*, relict of the deceased Charles Hay of Rannes, *Andrew, Alexander, Katherine, Jean* and *Margaret* Hays, etc. all lawful children to the said deceased Charles Hay, *William Gordon of Shellagreen*, husband to the said Katherine Hay, *Alexander Russell of Moncoffer*, husband to the said Margaret Hay for their interests, and all and sundry others having or pretending to have interest—

To compear before us or our depute for ane Commissary Court of Aberdeen to be holden within the Laigh Tolbooth thereof upon the 17 Day of Dec. 1751 for ane Dyet.”

This was affixed upon the door of Rathven Church on the 12th October before witnesses.

*On the 25th February 1752*, “the Commissary decerns the said Helen Fraser executor dative qua creditor to the said deceased Charles Hay of Rannes, her husband, for payment to her ‘pro tanto’ of the sums of money contained in the tide of the Inventory.

Charles Hay had died in London in April 1751. Andrew, the eldest son, being an attainted rebel, had naturally not put in an appearance in Aberdeen, and very shortly after this, as already seen, had retired to the Continent. His other sisters, Mary, Clementina and Elizabeth—not mentioned in the Edict—were already dead.



### APPENDIX III

THIS concerns the Executry of Andrew Hay and it is interesting to note that his Will, like that of his father, is to be affixed to the door of Rathven Church.

“At Edinburgh 7th Dec. 1789, in presence of the Lords of Council etc. appeared Mr. Charles Hay, Advocate, as pror for James Earl of Fife, James Gordon of Ardmellie, Alex. Gordon of Cairnbanno and Letterfury, Andrew Hay of Mountblairie, General Benjamin Gordon of Balbithan and William Rose of Ballivat, Disponees, Trustees and Executors of the late Andrew Hay of Rannes.

They confirm a factory and commission to the said William Rose to act for them—to pay the defunct’s funeral expenses, servants fees, etc. and all debts.

There pertained to the deceast £500 sterling and profits arising therefrom as one share of the Capital stock of the Banking company in Aberdeen.

There was also pertaining to the deceased £32 4/- sterling resting by Alexander Reid, Rannachie, as arrears of rent and £20 sterling or thereby resting to the defunct by the deceast James Allan, sometime in Buckie.”

The trustees and executors were to enter into possession of the whole immediately after Andrew’s death.

“On the 30th day of April last he sold the estate of Rannes to the Earl of Findlater and had a bond for the price granted by Dr. William Thom of Aberdeen for £22,467 sterling payable at Martimas, and assigned to his Trustees the said bond.

The said Andrew Hay also conveyed to his Trustees all and whole his tailed estate of Leith Hall.

The Trustees aforesaid met at Rannes 30th Oct. last, in presence of Colonel Alexander Leith (Hay) of Rannes, the heir of the said Andrew, and made up the Indenture of the funds amounting to £37,405 17 5 $\frac{9}{12}$ , exclusive of the current rent of Leith Hall, the household furniture, plate and stocking of Rannes and giral man’s accompts.

They appointed William Rose to make up an account of the deceased debts amounting to £26,143 3 9 $\frac{4}{12}$  and the probable demands against them on 20th Dec. next as £22,225 18 9 $\frac{4}{12}$  and in order to answer the same empowering the commissioner to uplift the Interest due by Lord Fife and Mountblairy and the principall sums and interest due by Leith Hall, Jas. Gordon, Portsoy, Patrick Steuart of Edinglassie and the said bond due by the Earl of Findlater, amounting to £32,000 17 10 $\frac{6}{12}$  thus leaving a ballance of £9,774 19 1 $\frac{2}{12}$  and authorise the commissioner to lend out to

Lord Fife at 4½%, with full and ample power to the said William Rose to act in all matters.

Mr. Charles Hay, pror.”

Written by Stewart Soutar at Duff House and signed by Andrew Hay of Mountblairy and Alex. Gordon and by the said Earl of Fife and by all the other Trustees.

The Will was also affixed to the door of Rathven Church after service on Sunday 16th January 1791 by order of Arthur Dingwall Fordyce, Commissary of Aberdeen.

## APPENDIX IV

THE following old ballad, composed by a local rhymster, refers to the death of John Leith of Leith Hall in Aberdeen in 1763.

*It fell about the Martimas time,  
In the year sixty-three,  
There happened in fair Scotland  
A grievous tragedy.*

*When all the nobles were conven'd,  
As they were wont to do,  
And brave Leith Hall among the rest,  
To pay what he was due.*

*Four-and-twenty gentlemen  
Sat birling<sup>1</sup> at the wine;  
'Twas in Archie Campbel's house  
The cruel contest began:*

*But how the quarrel first took rise,  
There was no one could know;  
But it prov'd fatal to Leith Hall,  
And wrought his overthrow.*

*Brave Leith Hall went down the stairs,  
Not knowing what to do;  
When cruel Mayen follow'd him,  
And shot him thro' the brow.*

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<sup>1</sup> Carousing.

*He left him lying in his gore,  
The vital tide stream'd down;  
And cruel Mayen fled the town,  
And could no more be found.*

*Leith's servant bound the bleeding head,  
And bore him to the bed,  
And cover'd him with blankets warm,  
And due attention paid.*

*The doctors there with speed were call'd,  
To see what they could do:  
The ball had discompos'd the brain,  
The shot passed thro' his brow.*

*His lady and his children dear  
Were brought, and wept full sore:  
He spoke some words that gave them hope,  
Which they had lost before.*

*But every hope was frustrate soon,  
He saw but the third day:  
When ghastly death, that grim grim ghost,  
Snatch'd his sweet life away.*

*The bells were rung, and mass was sung,  
And gave a doleful knell;  
His corpse was borne from Aberdeen  
And laid down at Leith Hall.*

*Now, for the killing of Leith Hall  
And spilling of his blood,*

*Just vengeance fall from heaven high,  
And light on Mayer's head.*

*If brave Leith Hall had been in drink,  
The sin I hope's forgiven;  
And I may trust and say this day,  
His soul is safe in heav'n.*

*I wish it there may shine more clear  
Than sunshine after rain;  
Among the bright meridian stars,  
Where no more griefs remain.*

## APPENDIX V

JEAN Hay was allowed to live on at Rannes, after the death of her brother Andrew, until Whitsuntide 1790. There was a sale of the effects there in May and on 4th June Jean wrote from Letterfourie, only a few miles away, to William Rose: "I left Rannes Wednesday the 2nd—never to return—which is a heavie reflection to one so much attach'd." In November she tells him: "The silk you paid Mr. Hay at Edinr. was for second murning, which I would suppose the Trustees would not grudge. I was hurt by hearing the Miss Cooks had never been paid for my Brother's grave cloths. I hope they are paid before now and, if not, should be as soon as possible."

A year later she writes to Rose that she is "mortified" with the accounts she hears of the empty house of Rannes, which no one seemed to want; Lord Findlater having secured the property did not apparently care what happened to the dwelling rebuilt with so much care and expence by Helen Fraser. Jean has been told that "the paper and plaister are falling and every part of the House going to wreck." So much for the vanity of human ambitions. This is not Jean's only plaint. "How great a pity that the pretty sofa and chairs my Brother put a value upon should be allowed to remain in the House to pairish, which certainly they must do if not removed." She had already written

to Rose to regret that they cannot be sold, presumably no one wanted them either, so they were left in the drawing room at Rannes and she again deploras that they “should perish for want of care in a house where no fire is, and I hear soon to be rased to the ground.”

Some parts of the House of Rannes, as rebuilt in 1759 still remain, though much of it was pulled down about a hundred years ago and used in building the school-house of Cullen. The remaining portions are now used as a farm house but the old garden with its high wall and large arched gateway are still *in situ*.

After leaving Rannes, Jean lived for a time in Elgin and eventually settled down at Portsoy. She, like her brother, never married.



## APPENDIX VI

THE Jacobite hopes of success were extinguished for ever at Culloden and in this connection it may not be out of place to mention Peter Grant, who was *the last survivor* of those who fought at that battle. He was born in 1714 at Dubrach, in Braemar. Joining Prince Charles' forces in 1745 he fought as a sergeant at Culloden, was taken prisoner and sent to Carlisle, but somehow managed to escape and returned to Braemar on foot. There he worked on a farm for many years. In the winter of 1821 George IV—to his eternal credit—gave him an allowance of a guinea a week and this pension was continued to his daughter, Anne, until her death in 1860. Peter Grant did not die until 19th February 1824, aged 110!

There is a story told that at the battle of Culloden Peter was annoyed at not being able to come to close quarters with the English, and cried to his officer, "Oh, let's throw awa' thae fushinless<sup>1</sup> things o' guns, and we can get doon upon the smatchets<sup>2</sup> wi' oor swords."

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<sup>1</sup> Useless.

<sup>2</sup> Small contemptible persons.